



January 31st, 2019

**REPORT ON THE ACTIVITIES OF THE ACADEMIC OMBUDSMAN**

**FOR STUDENTS' AND EMPLOYEES' AFFAIRS**

*in the period from January 1st to December 31st, 2018*

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## Context

The position of the Academic Ombudsman was established by the *Order No. 30 of the Rector of the University of Warsaw of August 16th, 2011, regarding the appointment of an Academic Ombudsman at the University of Warsaw*. On November 1st, 2011, this position was taken over by Anna Cybulko. In the end of September 2012, Anna Cybulko was appointed to this position for the second term (the first full one, i.e. lasting four years) covering the period from October 1st, 2012 to October 1st, 2016. As of October 1st, 2016, Anna Cybulko was appointed for the second full term of office, which is to last until September 30th, 2020.

This report is prepared on the basis of § 11 of the Order No. 30, according to which: “The ombudsman shall submit in writing to the Rector a report on his or her activities by January 31st each year.”

## Organisational matters

### Team of the Academic Ombudsman

The Academic Ombudsman is supported at work by two people: Elżbieta Felkner, office coordinator and Magdalena Miksa, lawyer. Mrs. Felkner's tasks include administrative service, organisational and substantive support in the implementation of activities described in *Order No. 30 of the Rector of the University of Warsaw of August 16th, 2011, regarding the appointment of the Academic Ombudsman at the University of Warsaw*. Mrs. Miksa's main tasks include cooperation in the matter of substantive recognition of student and employee affairs as well as co-conducting educational-promotional activities.

The employees of the Academic Ombudsman's Team support anti-mobbing activities. As of May 30th, 2018, pursuant to *Order No. 49 of the Rector of the University of Warsaw of May 14th, 2018, regarding counteracting mobbing at the University of Warsaw*, Magdalena Miksa was appointed to the position of the Anti-



Mobbing Coordinator. As of June 22nd, 2018, Elżbieta Felkner was appointed to the position of the Secretary of the Anti-Mobbing Committee.

## Finance

During 2018, the Academic Ombudsman was granted funds for:

- needs related to maintaining contacts and exchanging international experience, including participation in conferences and membership in the European Association of Academic Ombudsmen in Higher Education ENOHE (European Network of Ombudsman in Higher Education) – PLN 3 545.18 and EUR 50;
- the purchase of office furniture for the needs of gathering documentation which requires applying means of special protection – PLN 984;
- the purchase of equipment necessary to ensure proper work standards and efficient performance of ombudsman tasks, i.e.: office and stationery materials – PLN 2 433.73; LEX license for 2018 – PLN 1 931.10;
- the purchase of computer equipment and a license for the needs of a new employee – PLN 4 831.68;
- developing a new website meeting the requirements for public websites (adjusted to the needs of the disabled) – PLN 5 030;
- the purchase of literature referring to mobbing – PLN 277.43;
- promotion & representation costs (including a roll-up) – PLN 561.97.



## Activity report

### Competence

In 2018, the activities were carried out in accordance with the principles and procedures developed in previous years and covered all areas of competence of the Academic Ombudsman, which, in accordance with regulations of *Order No. 30*, include:

- presentation of information on the functioning and legal regulations;
- indication and/or contact with appropriate organisational units of the University in order to obtain relevant information or clarify the matter;
- supporting parties in solving the conflict;
- recommending and conducting mediation;
- ADR promotion;
- presenting the Rector with information and recommendations for necessary system changes.

Most of the activities conducted by the Academic Ombudsman are based on direct response to the needs and problems reported by members of the academic community. The Academic Ombudsman's activity in this area is usually carried out by presenting information, explaining the case or assisting the parties in resolving the conflict (e.g. through mediation). The second important area of the Academic Ombudsman's activity is the promotion of ADR, carried out through conducting trainings and promotional activities, participation in seminars and conferences, internal and international cooperation. In exceptional situations, the Academic Ombudsman benefits from the prerogative of presenting the Rector with important signals (*whistleblowing*) on the functioning of the university.



## Prevention of conflicts and promotion of ADR

An important task of the Academic Ombudsman is to promote alternative methods of dispute resolution. Within the scope of supporting the development of alternative methods of resolving disputes within the university, the Ombudsman undertook proactive promotional and educational actions.

In 2018, the Ombudsman, in collaboration with a specialist for equal rights – Julia Kubisa, PhD, became engaged in the preparation of a strategy for the communication of equality activities conducted at the University of Warsaw. The collaboration included organising regular meetings with the participation of the International Relations Office, the Welcome Point, the Press Office, the Promotion Office, the Volunteer Centre, the Coordinator of the Rector's Committee for Preventing Discrimination, the Anti-Mobbing Coordinator, the Secretary of the Anti-Mobbing Committee and the University of Warsaw DELab. The aim of the meetings was coordinating actions within the scope of the communication strategy, informing the University community and its broader environment (i.a. candidates, graduates, the media, other universities, public administration, the private sector) about the undertaken actions and proposed forms of support in case of the occurrence of problems.

A task implemented by the Academic Ombudsman is also education and spreading knowledge about the support institutions operating in our University. Within the scope of this activity, the Academic Ombudsman, together with her team, organised regular meetings as part of the mobile information desk at various faculties located at the Ochota Campus. The aim of the meetings was spreading knowledge about the Academic Ombudsman for student's and employee's affairs and about other support institutions operating within our University. The employees of the Academic Ombudsman's Team, together with the employees of the Centre for Dispute and Conflict Resolution at the Faculty of Law and Administration of the University of Warsaw provided information regarding the competence of particular institutions, the



methods of obtaining support, the method of reporting cases, the duty dates and locations etc.

Within the scope of actions in the area of equality education and preventing discrimination at the University of Warsaw, the Academic Ombudsman, together with her team, participated in workshops entitled “Taming transsexuality” conducted by a foundation for transsexual people – Trans-Fuzja. Subsequently the Ombudsman organised trainings related to this topic for the administrative employees of the university. The aim of this action was facilitating the collaboration between the university employees and transsexual students.

The Academic Ombudsman undertakes numerous activities for preventing mobbing. These activities include:

- Collaboration with the University of Warsaw Anti-Mobbing Committee formed by the Order no. 65 of the Rector of the University of Warsaw of June 22nd, 2018, in the scope of preventing mobbing at the university.
- Collaboration with the University of Warsaw Anti-Mobbing Coordinator, Magdalena Miksa, which includes diagnosing problems in the area of mobbing among the reported cases, coordinating actions aimed at counteracting mobbing at the University of Warsaw and spreading activities in the scope of counteracting mobbing at the University of Warsaw, gathering publications and literature related to this topic.

The Academic Ombudsman collaborates with numerous organisational units and collective entities operating at the university. The collaboration includes mutual forwarding of cases, pursuant to competence, as well as joint resolving of problems and searching for adequate solutions. In 2018 the Academic Ombudsman collaborated with i.a.:

- The Rector's Committee for Preventing Discrimination – in events of interventions related to complaints of discrimination of employees or students.



- The Centre for Dispute and Conflict Resolution at the Faculty of Law and Administration, i.a. in the area of conducting mediation.
- The representatives of the student self-government, especially with the Scholarship Appeals Board and the Doctoral Students Self-Government Board
- With Students' Clubs and student organizations, i.a. the Queer Students' Club and the Paulina Kuczalska-Reinschmit Students' Club.

Together with the Head of the Office for Persons with Disabilities, Paweł Wdówik, the Academic Ombudsman prepared the project of a guide for procedure with persons with mental disorders and the project of the safety procedure at the University of Warsaw. These documents were submitted to the Vice-Rector for Student Affairs and Quality of Teaching, Professor Jolanta Choińska-Mika and to the University Chancellor, Jerzy Pieszczyrkow.

### **Domestic and foreign cooperation**

Within the scope of domestic cooperation, the Academic Ombudsman collaborates with other Ombudsmen from Polish universities – i.a. with Bartłomiej Chludziński – the Academic Ombudsman at the Nicolaus Copernicus University in Toruń, Michał Czapski from the Medical University of Warsaw, Sławomir Gliniański – the Student Rights Ombudsman of the University of Wrocław, Anna Mazurczak – Head of the Antidiscrimination Law Unit in the Equal Treatment Department of the Polish Ombudsman's Office. In May 2018 the Academic Ombudsman, together with her whole team, organised a seminar for academic ombudsmen and for persons responsible for safety and student rights, devoted to the topics of collaboration in the area of counteracting discrimination at universities. The seminar was attended by Bartłomiej Chludziński – the Ombudsman at the Nicolaus Copernicus University, Sławomir Gliniański – the Student Rights Ombudsman of the University of Wrocław as well as Katarzyna Jurzak – Rector's Proxy for Student Safety and Security at the Jagiellonian University. A special guest of our seminar was Mrs. Anna Mazurczak –



Head of the Antidiscrimination Law Unit in the Equal Treatment Department of the Polish Ombudsman's Office.

The Academic Ombudsman also represents the University of Warsaw at events organised by central institutions: conferences, seminars or expert meetings. Among the most important actions in 2018, it is worth to mention the participation in the conference which was organised by the Ministry of Justice and opened the mediation week – “Mediation settlement – quality, effectiveness, satisfaction”, participation in the seminar “Universities without discrimination – introducing system solutions for equal treatment at universities in Poland” organised by the Pedagogical University of Cracow. Within the scope of her activity, the Academic Ombudsman collaborates with the Polish Society of Anti-Discrimination Law in the scope of antidiscrimination activities in terms of education, promotion and research. On December 13th, 2018, the Academic Ombudsman took part in the conference: ”What’s (wrong) with the Polish anti-discrimination law?”, which took place at the European Commission Representation Office in Poland at 14/16a Jasna Street in Warsaw. The conference was organised by the Polish Society of Anti-Discrimination Law which is currently celebrating the 12th anniversary of its operation.

Since 2014, the Academic Ombudsman participates in the implementation of an international project “Advocacy Establishment for Students through Ombudsman Position (AESOP)” financed by the Education, Audiovisual and Culture Executive Agency (EACEA), which operates on behalf of the European Commission. The University of Warsaw is the partner of this project. The leader of the project is the 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 i.a. The University of Warsaw. On June 11th-14th, 2018, in Vienna, there was a meeting organised as part of the Advocacy Establishment for Students through Ombudsman Position AESOP project, which was attended by the project partners. The University of Warsaw was represented by the Academic Ombudsman for student’s and employee’s affairs –





Mrs. Anna Cybulko and Mrs. Agnieszka Siedlecka - Andrychowicz, who is related with the Centre for Dispute and Conflict Resolution at the Faculty of Law and Administration of the University of Warsaw. The meeting was devoted to the coordination, planning and quality control of the project.

The Academic 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 6th-8th the Academic Ombudsman and Magdalena Miksa took part in the ENOHE conference (the European Network for Ombudsmen in Higher Education). The topic of this year's conference was: "Resolving conflicts at the campus: strategies for improved policies and effective actions". The conference was organised by the university of Edinburgh. The three days of the conference were a time of excellent sessions referring to elaborating effective rules and good practices in the field of handling student complaints.

### **Direct support actions**

The Academic Ombudsman performs work both at her headquarters – i.e. in the room no. 160 C located in the building of the University Library, at Dobra 56/66 street – as well as throughout the University. The Ombudsman is available to all interested persons during regular duties, which she holds twice a week, on Mondays and Thursdays from 11.00 AM to 02.00 PM. Information on the duties can be found on the websites: on the university's homepage, on the website [www.ombudsman.uw.edu.pl](http://www.ombudsman.uw.edu.pl), at the internet profile in the social media site Facebook and in leaflets and posters distributed throughout the University. The Academic Ombudsman accepts complaints submitted in person, as well as by phone, e-mail and post. Due to the high intensity of the Ombudsman's work, the preferred form of contact is by email or phone, which makes it possible to arrange an appointment at a specific date in advance.



After receiving the notification, the activities of the Academic Ombudsman are conducted in two ways. In the case of simple inquiries in which it is possible, the answer is provided immediately by phone or e-mail by the Academic Ombudsman or an employee of 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 the available pool of possible actions are discussed. As a result of the interview, the person submitting the case may come to the conclusion that an external intervention of the Ombudsman is needed – e.g. in the form of clarifying the matter in an appropriate unit or starting direct mediation activities. In such situations, the Ombudsman must be authorised in writing to take specific steps.

The Academic Ombudsman executes the obligations resulting from the *Order no. 30*, pursuant to which the responsibilities of the Ombudsman include helping individuals and organisational entities of the University in resolving disputes and conflicts and in coping with the breach of the principles of academic life. Below please find statistical data which give insight to the amount, type and a topic cross-section of the cases which were submitted to the Academic Ombudsman in 2018. The statistics also present the amount and type of actions undertaken by the employee of the Academic Ombudsman's office.

### Number of reports

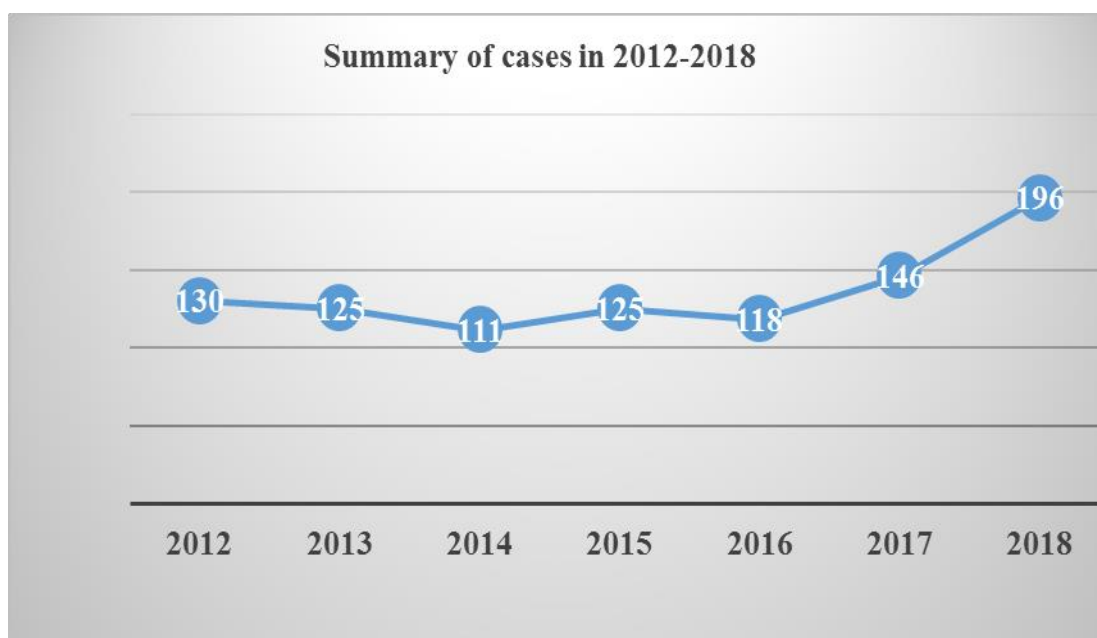
In 2018, the Academic Ombudsman dealt with 157 cases, of which 146 were received in 2018, and 11 were continuations from the previous year. Detailed data on the impact of cases and change dynamics have been presented in the Table and Chart below. It should be noted that the presented statistics, for the first time, includes only the cases for which further actions have been undertaken.



Table no. 1 Summary of cases in 2012-2018

| Year                                       | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|------|------|------|------|------|------|------|
| number of cases                            | 130  | 125  | 111  | 125  | 118  | 146  | 157  |
| cases from the current year                | 130  | 114  | 103  | 119  | 111  | 134  | 146  |
| cases transferred from the previous period |      | 11   | 8    | 6    | 7    | 12   | 11   |

Chart no. 1 Summary of cases in 2012-2018



In order for the comparison with previous years to be full, the number of cases which is 157 should be additionally increased by 39 cases for which actions were not undertaken because the arranged meetings did not take place due to their cancellation, due to the fact that the interested party did not turn up at the meeting or did not respond to the invitation. The presented data clearly indicate a significant increase of the number of reported cases (146 cases in 2017 and 196 in 2018 which indicates an over 1/3 increase of the number of reports).

Similarly as in the previous year, the number of reported cases was to a high degree dependent on the academic term. The vast majority of cases were reported to the

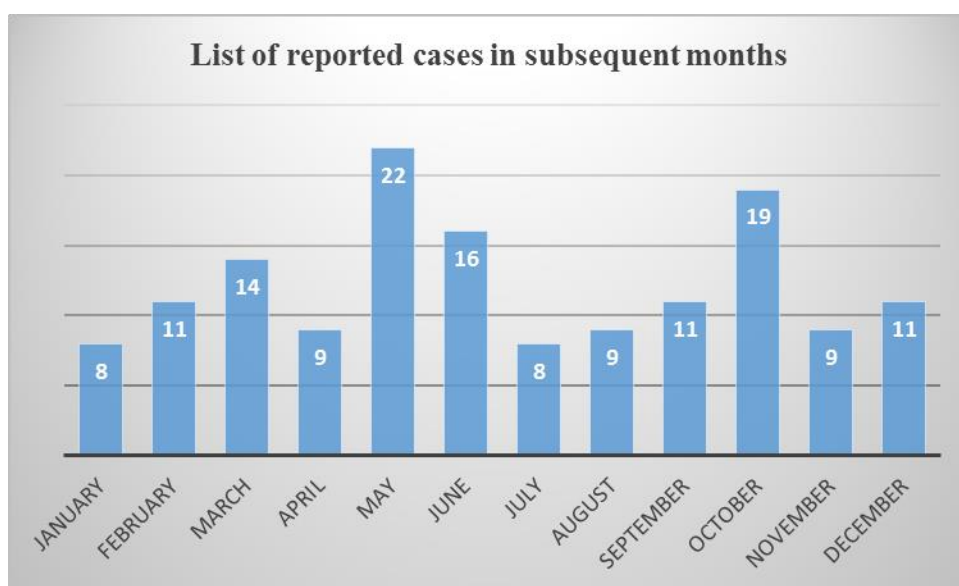


Academic Ombudsman in the period of the second semester examination session (in May and June) and at the turn of the academic year (in October). Constant inflow of reports also maintained in July. Below please find a table and a chart presenting the list of reported cases in the subsequent months.

Table no. 2 List of reported cases in subsequent months

| Month                       | Number |
|-----------------------------|--------|
| Cases transferred from 2017 | 10     |
| January                     | 8      |
| February                    | 11     |
| March                       | 14     |
| April                       | 9      |
| May                         | 22     |
| June                        | 16     |
| July                        | 8      |
| August                      | 9      |
| September                   | 11     |
| October                     | 19     |
| November                    | 9      |
| December                    | 11     |
| Total                       | 157    |

Chart no. 2 List of reported cases in subsequent months





### Complaining parties

Pursuant to § 4 of the *Order No. 30 of the Rector of the University of Warsaw*, the Ombudsman undertakes actions:

- after reporting the case by an interested member of the academic community,
- at the request of the self-government bodies of the students or doctoral students,
- at the request of the Rector,
- on her own initiative.

Most frequently cases are reported to the Academic Ombudsman by the interested parties themselves (142 cases), who present their problems individually or in groups. Problems are also reported by direct superiors or by representatives of the authorities of a given unit (12 cases), asking for support in the analysis and diagnosis of the problem, or for taking direct intervention in the case. There were cases reported by relatives (2 cases). Detailed data distribution has been presented in the table below.

Table no. 3 Entities submitting the case

| Entity submitting the case            | Number of cases |
|---------------------------------------|-----------------|
| person interested directly            | 130             |
| persons interested directly in groups | 12              |
| authorities                           | 10              |
| direct superior                       | 2               |
| relative                              | 2               |
| Ombudsman's initiative                | 1               |

Among the people reporting the problem more than a half are students, and slightly less than 2/5 are employees: scientific, administrative and scientific-technical ones. Only 6% of reports come from doctoral students (the detailed distribution of reports has been presented in the table).



Table no. 4 Division according to the status of the entity

| Entity status    | Number of cases | Percentage share |
|------------------|-----------------|------------------|
| student          | 86              | 55%              |
| doctoral student | 10              | 6%               |
| employee         | 61              | 39%              |

In comparison with the previous year, there was a slight increase of the number (and also of the percentage) of reports submitted by students and doctoral students. More detailed data have been presented in Table no. 5.

Table no. 5 Comparison of cases according to the status of the entity in the years 2017-2018

| Entity status    | Number of cases |      |
|------------------|-----------------|------|
|                  | 2017            | 2018 |
| student          | 79              | 86   |
| doctoral student | 4               | 10   |
| employee         | 63              | 61   |

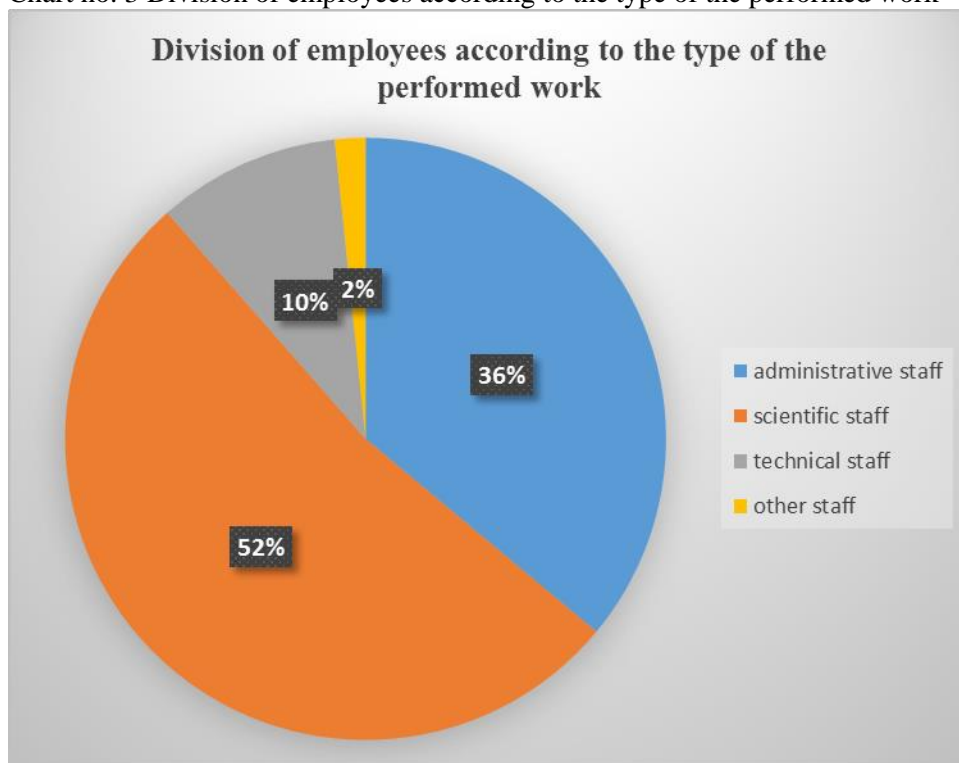
Employee cases were reported by scientific, administrative and technical employees. More detailed data regarding the distribution of the cases have been presented in Table no. 6 and Chart no. 3.

Table no. 6 Division of employees according to the type of performed work

| Type of performed work | Number of cases |
|------------------------|-----------------|
| administrative staff   | 22              |
| scientific staff       | 32              |
| technical staff        | 6               |
| other staff            | 1               |



Chart no. 3 Division of employees according to the type of the performed work



Cases arrive to the Academic Ombudsman directly from Faculties, academic units, research units and research-academic units, as well as from Central Administration Offices, Student Residence Halls or the University Library. The year 2018 is another year in a row in which the Academic Ombudsman received reports of cases from all the faculties and the majority of the units of the University. This may be interpreted as a signal indicating that the information about the existence and the operation of the Academic Ombudsman has reached all the academic units. The list of reports due to the unit has been presented in Table no. 7. Besides the faculties, this list also includes categories such as: academic units (i.e. Centre for Foreign Language Teacher Training and European Education, College of Inter-faculty Individual Studies in Mathematics and Natural Sciences, Centre for Foreign Language Teaching), research & academic units (i.e. Centre for Europe, Institute of the Americas and Europe),



research units (i.e. Centre of New Technologies, Biological and Chemical Research Centre) and other units (including the University Library in Warsaw, the University of Warsaw Publishing Houses, the Faculty Residence Hall).

Table no. 7 Division of reported cases due to the unit.

| Affiliation  | Number of cases | Percentage of all cases |
|--|-----------------|-------------------------|
| Faculty of “Artes Liberales”                           | 5               | 3%                      |
| Faculty of Biology                                     | 4               | 3%                      |
| Faculty of Chemistry                                   | 1               | 1%                      |
| Faculty of Journalism, Information and Book Studies    | 7               | 4%                      |
| Faculty of Philosophy and Sociology                    | 6               | 4%                      |
| Faculty of Physics                                     | 5               | 3%                      |
| Faculty of Geology                                     | 4               | 3%                      |
| Faculty of History                                     | 13              | 8%                      |
| Faculty of Applied Linguistics                         | 6               | 4%                      |
| Faculty of Mathematics, Informatics and Mechanics      | 4               | 3%                      |
| Faculty of Economic Sciences                           | 4               | 3%                      |
| Faculty of Political Science and International Studies | 16              | 10%                     |
| Faculty of Modern Languages                            | 11              | 7%                      |
| Faculty of Oriental Studies                            | 3               | 2%                      |
| Faculty of Education                                   | 4               | 3%                      |
| Faculty of Polish Studies                              | 5               | 3%                      |
| Faculty of Law and Administration                      | 8               | 5%                      |
| Faculty of Psychology                                  | 12              | 8%                      |
| Faculty of Applied Social Sciences and Resocialisation | 2               | 1%                      |
| Faculty of Management                                  | 3               | 2%                      |
| Central Administration                                 | 3               | 2%                      |
| Academic unit  | 4               | 3%                      |
| Research & academic unit                               | 8               | 5%                      |
| Research unit  | 1               | 1%                      |
| Other units  | 7               | 4%                      |
| Other  | 10              | 6%                      |

The distribution of reports changed in reference to the previous year. In the current year the highest number of cases were reported from the Faculty of Political Science





and International Studies (16), the Faculty of History (13), the Faculty of Psychology (12) and the Faculty of Modern Languages (11). Detailed data have been presented in Table no. 8. Chart no. 4 presents the dynamics of change of reports in the years 2017-2018. The data indicate that, generally, the distribution of cases remains very similar in subsequent years, with taking into consideration the relatively even increase of the number of reports at all the faculties. The faculties which remain exceptions from the proportional increase principle are: The Faculty of Psychology and the Faculty of History (where there has been a significantly higher increase of the number of cases which resulted in a change of the position of these units in reference to other Faculties compared to the previous year) and the Faculty of Chemistry and the Faculty of Geography (for which the number of cases remained at exactly the same level as in 2017).

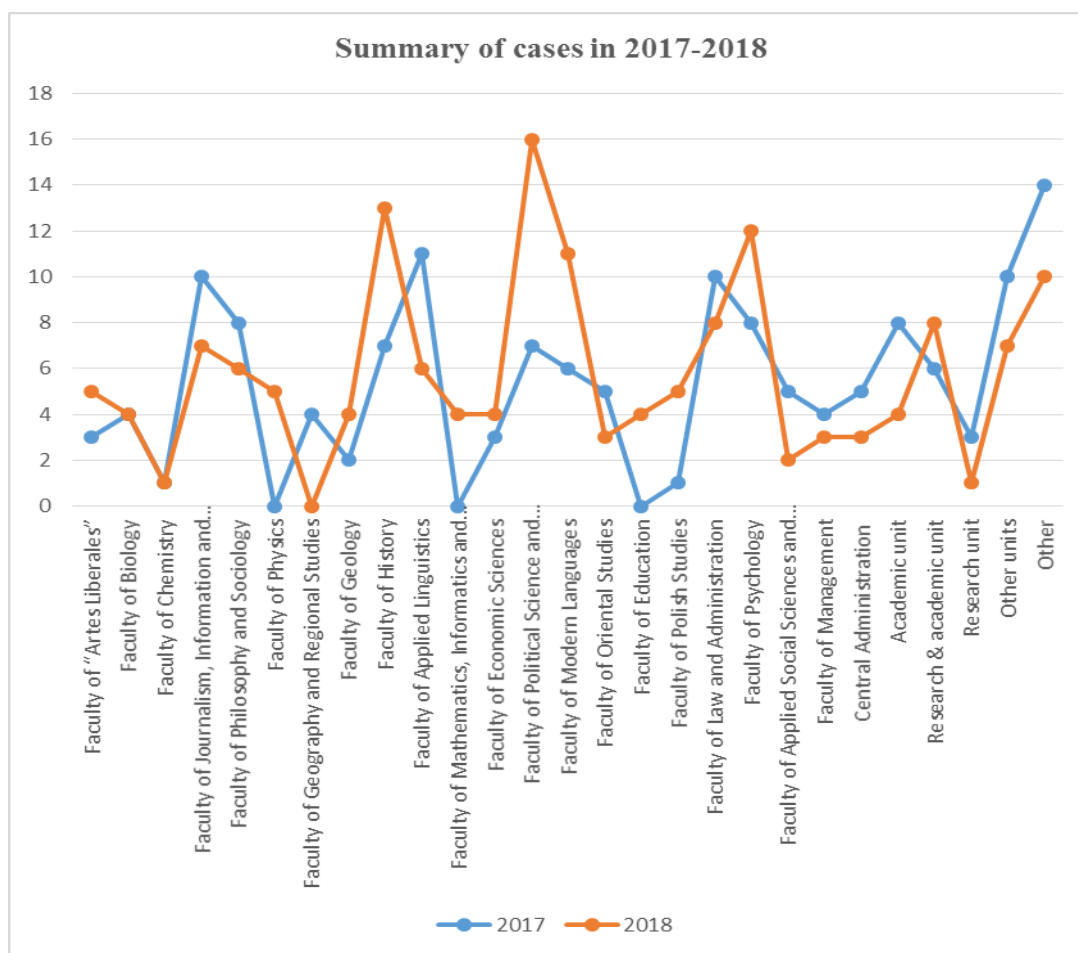
Table No. 8 Comparison of the number of cases from particular units in the years 2017-2018

| Affiliation  | 2017 | 2018 |
|--|------|------|
| Faculty of "Artes Liberales"                           | 3    | 5    |
| Faculty of Biology                                     | 4    | 4    |
| Faculty of Chemistry                                   | 1    | 1    |
| Faculty of Journalism, Information and Book Studies    | 10   | 7    |
| Faculty of Philosophy and Sociology                    | 8    | 6    |
| Faculty of Physics                                     | 0    | 5    |
| Faculty of Geography and Regional Studies              | 4    | 0    |
| Faculty of Geology                                     | 2    | 4    |
| Faculty of History                                     | 7    | 13   |
| Faculty of Applied Linguistics                         | 11   | 6    |
| Faculty of Mathematics, Informatics and Mechanics      | 0    | 4    |
| Faculty of Economic Sciences                           | 3    | 4    |
| Faculty of Political Science and International Studies | 7    | 16   |
| Faculty of Modern Languages                            | 6    | 11   |
| Faculty of Oriental Studies                            | 5    | 3    |
| Faculty of Education                                   | 0    | 4    |
| Faculty of Polish Studies                              | 1    | 5    |
| Faculty of Law and Administration                      | 10   | 8    |
| Faculty of Psychology                                  | 8    | 12   |
| Faculty of Applied Social Sciences and Resocialisation | 5    | 2    |



|                          |    |    |
|--------------------------|----|----|
| Faculty of Management    | 4  | 3  |
| Central Administration   | 5  | 3  |
| Academic unit            | 8  | 4  |
| Research & academic unit | 6  | 8  |
| Research unit            | 3  | 1  |
| Other units              | 10 | 7  |
| Other                    | 14 | 10 |

Chart no. 4 Summary of cases in 2017-2018



In the course of analysing the distribution of reports from individual academic units, attention was paid to the status of persons addressing the Ombudsman. In the majority of units, the reports came from both, students and employees. There were, however, faculties and units where cases were reported mainly by employees or mainly by students.



Only student-related cases were reported to the Academic Ombudsman from the following Faculties: The Faculty of Chemistry, the Faculty of Physics, the Faculty of Economic Sciences, the Faculty of Oriental Studies, the Faculty of Applied Social Sciences and the Faculty of Management. Student-related cases were the majority of cases reported at the Faculty of Journalism, Information and Book Studies, the Faculty of Modern Languages and the Faculty of Law and Administration. Employee-related cases clearly dominated at the following Faculties: The Faculty of Biology, the Faculty of Geology, the Faculty of History and the Faculty of Mathematics, Informatics and Mechanics.

Detailed data distributions have been presented in Table no. 9 below.

Table no. 9 Status of persons reporting cases in particular units

| Faculty  | Number of cases |          |         |
|--|-----------------|----------|---------|
|  | all together    | employee | student |
| Faculty of “Artes Liberales”                           | 5               | 2        | 3       |
| Faculty of Biology                                     | 4               | 3        | 1       |
| Faculty of Chemistry                                   | 1               | 0        | 1       |
| Faculty of Journalism, Information and Book Studies    | 7               | 1        | 6       |
| Faculty of Philosophy and Sociology                    | 6               | 3        | 3       |
| Faculty of Physics                                     | 5               | 0        | 5       |
| Faculty of Geology                                     | 4               | 4        | 0       |
| Faculty of History                                     | 13              | 10       | 3       |
| Faculty of Applied Linguistics                         | 6               | 3        | 3       |
| Faculty of Mathematics, Informatics and Mechanics      | 4               | 4        | 0       |
| Faculty of Economic Sciences                           | 4               | 0        | 4       |
| Faculty of Political Science and International Studies | 16              | 3        | 13      |
| Faculty of Modern Languages                            | 11              | 1        | 10      |
| Faculty of Oriental Studies                            | 3               | 0        | 3       |
| Faculty of Education                                   | 4               | 2        | 2       |
| Faculty of Polish Studies                              | 5               | 2        | 3       |
| Faculty of Law and Administration                      | 8               | 1        | 7       |
| Faculty of Psychology                                  | 12              | 5        | 7       |
| Faculty of Applied Social Sciences and Resocialisation | 2               | 0        | 2       |
| Faculty of Management                                  | 3               | 0        | 3       |



|                          |    |   |   |
|--------------------------|----|---|---|
| Central Administration   | 3  | 3 | 0 |
| Academic unit            | 4  | 0 | 4 |
| Research & academic unit | 8  | 5 | 3 |
| Research unit            | 1  | 1 | 0 |
| Other units              | 7  | 6 | 1 |
| Other                    | 10 | 1 | 9 |

## Topics of cases

### Topics of cases

From the beginning of the work of the Academic Ombudsman, the topics of the reported cases remain the same. Problems reported by employees and students have their own separate specificity. However, it is difficult to clearly qualify the group of cases reported by doctoral students who, depending on affiliation, are more proximate to students or to employees.

### Student cases

Student-related cases may be divided into four topic groups: cases related to the organisation and the course of studies, conflicts and communication difficulties, financial problems and a collective category for the remaining cases.

The majority of reports were cases related to the organisation and course of studies. The reports referred to the topics indicated below:

- removals from the student roster,
- re-admission to the student roster,
- a problem with the graduation,
- a problem with passing the exams,
- a problem with passing the exam in a particular subject,
- a problem with passing the certification exam in a foreign language course,
- a change of significant principles during the course of the studies,
- a change of the major or not creating the major,



- the manner of conducting lectures by lecturers,
- the assessment method applied by lecturers,
- issuing student documentation,
- not releasing the diploma on time,
- hindered contact with lecturers,

The second category in terms of the number of reported cases are conflicts and communication difficulties. Communication problems occurred in various types of relationships, both horizontal – between students, and vertical – communication problems with a thesis supervisor or a lecturer. There were cases of student complaints on the operation of faculty offices, especially regarding the manner students were treated by the employees or regarding the confusing nature of the provided information. In the third group, referring to financial problems, reports which were particularly serious were those referring to problems with the inappropriate operation of Committees granting social support. In 2018 students also reported problems related to discrimination or breaching ethical principles, i.e. non-ethical behaviours of lecturers towards female students, posting offensive information in social media, illegal utilization of research results or plagiarism.

The topics of cases reported by students have been summarised in Table no. 10 below.

Table no. 10 Topics of cases reported by students.

| Topics of cases reported by students*  | Number |
|--|--------|
| Ambiguities of regulations and procedures/cases related to the course of the studies | 42     |
| Conflicts  | 38     |
| Financial problems   | 7      |
| Breach of ethical principles   | 4      |
| Discrimination   | 3      |
| Other  | 4      |

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



### **Employee cases**

The topics of employee-related cases referred to four main areas: interpersonal conflicts, accusations of mobbing or discrimination, the working conditions and the personnel policy as well as broadly understood ethical matters. A significant percentage of the reported problems referred to financial matters which accompanied both, difficulties defined as conflict and accusations of mobbing or discrimination. Financial matters also frequently constituted a significant element of problems qualified to the “working conditions and personnel policy” category.

The conflicts were of a horizontal nature – between co-workers, or of a vertical nature – between superiors and subordinates. The majority of conflicts were of a relationship-organisational nature, however, there were cases in which the essence of misunderstandings between parties were issues related to work/research. The reported conflicts were usually of a binary nature, but there were also more complicated issues involving groups of people. The persons asking the Academic Ombudsman for help were both the interested employees themselves as well as their superiors who noticed a conflict in the team.

Employees asking the Academic Ombudsman for support relatively frequently complained of mobbing and discrimination. In the majority of cases, accusations formulated this way did not correspond to reality, instead, the described irregularities were symptoms of other kinds of problems, especially interpersonal conflicts, a lack of social competence or inappropriate management. In situations where there was justified suspicion of the presence of indicators of mobbing or discrimination, the Academic Ombudsman suggested forwarding the case to the Anti-Mobbing Coordinator or to the Rector's Committee for Preventing Discrimination. However, the final decision on undertaking such actions depended on the interested person him- or herself.

More detailed data regarding the distribution of the cases regarding mobbing and discrimination have been presented in Table no. 11.



Table no. 11 Reports of mobbing and discrimination among students and employees

| Reporting entity              | Discrimination | Mobbing |
|-------------------------------|----------------|---------|
| Employee                      | 8              | 11      |
| Student                       | 3              |         |
| Superior (regarding the team) |                | 1       |
| Total                         | 11             | 12      |

Employees also addressed the Academic Ombudsman regarding cases related to working conditions and the personnel policy, mentioning, in particular, matters referring to remuneration, the pre-retirement protection period, the regulation of the scope of responsibilities and the problem of inappropriate performance of professional duties. The questions also referred to regulations regarding the leave of absence for restoration of health and the possibility of introducing internal regulations regulating the code of conduct for office workers (including matters related to clothing, personal hygiene etc.).

The topic of reports referring to ethics were i.a. irregularities in contest procedures and behaviours of scientific employees which were not appropriate for the prestige of the posts held by them.

A summary of the topics of cases reported by employees has been presented in Table no. 12 below.

Table no. 12 Topics of cases reported by employees

| Topics of cases reported by employees*  | Number |
|---|--------|
| Conflicts                               | 24     |
| Mobbing and discrimination              | 20     |
| Working conditions and personnel policy | 12     |
| Breach of ethical principles            | 4      |

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



### **Actions taken**

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

- presentation of relevant information on the functioning and legal regulations applicable at the University of Warsaw;
- indication of units/persons competent to settle the case;
- support in settling the case by obtaining information or clarifying the matter in an appropriate unit;
- assistance in solving the conflict: diagnosing the problem and choosing the method of solving it;
- recommending/conducting mediation;
- presenting the Rector with information and recommendations laying within the scope of the Ombudsman's duties, regarding the indication of necessary systemic changes and modes of operation of the University.

Similarly as in the previous years, a significant part of the Ombudsman's intervention activities is concentrated on clarifying the organisational-legal context of a given situation, especially by presenting information on the legal regulations or indication of units/persons competent to settle the case. These actions usually remain confident. An activity which is also confidential is the help which is a type of coaching based on supporting the interlocutor in analysing the problematic situation, putting emotions aside and jointly considering the possible solutions for the problem. On request of the person reporting the problem (confirmed by written consent for resigning from confidentiality) the Academic Ombudsman may also undertake external intervention in a given case. In case of students (more rarely employees) the external intervention frequently consists in directly contacting the unit (or a particular employee) and obtaining information or clarifications allowing to resolve the problem. The Academic Ombudsman more and more frequently uses the competence related to recommending or conducting mediation (increase from 14 cases in 2017 to 19 cases





in 2018), in turn, the number of presented signalisations (*whistleblowing*) has fallen down (from 11 cases in 2017 to 6 in the subsequent year).

Below please find Table 13 which indicates the types of actions undertaken by the Academic Ombudsman, with taking into consideration the academic status of the person reporting the case.

Table No. 13 Types of actions taken by the Academic Ombudsman

| Action taken   | students | doctoral students | employees | all together |
|--|----------|-------------------|-----------|--------------|
| Presentation of information on the functioning and legal regulations; indication of units/persons competent to settle the case | 38       | 4                 | 20        | 62           |
| Support in settling the case by obtaining information or clarifying the matter in an appropriate unit                          | 26       | 4                 | 8         | 38           |
| Support in solving the conflict: diagnosing the problem and choosing the method of solving it.                                 | 11       |                   | 8         | 19           |
| Directing for mediation  | 4        | 1                 | 14        | 19           |
| Whistleblowing: Forwarding reported irregularities in the operation of the university  | 4        |                   | 2         | 6            |
| Other  | 1        | 3                 | 9         | 13           |

A significant field of activity, to which the Academic Ombudsman, together with her team, devote much time and energy, is mediation. The Ombudsman holds mediation herself (12 cases) or she forwards cases to the Centre for Dispute and Conflict Resolution (4 cases). In 2018 mediation was suggested in 16 cases. In over 80% of cases, both parties agreed for mediation. In 20% of cases mediation did not take place due to the lack of consent of one of the parties. Out of 8 mediations held by the Academic Ombudsman, 75% ended successfully. The mentioned results indicate the quite high effectiveness of mediation activities and allow for hoping for further,



significant development of this institution. Detailed data have been presented in Table no. 14.

Table no. 14 The effect of mediation activities

| Mediation   | entity reporting the case |                  |         |          |
|---|---------------------------|------------------|---------|----------|
|   | employee                  | doctoral student | student | In total |
| ended successfully  | 4                         |                  | 2       | 6        |
| without agreement   | 1                         | 1                |         | 2        |
| did not take place  | 3                         |                  |         | 3        |
| case forwarded to another unit                              | 1                         |                  |         | 1        |
| forwarded to the Centre for Dispute and Conflict Resolution | 1                         |                  | 3       | 4        |
| In total  | 10                        | 1                | 5       | 16       |

Similarly as in the previous year, the majority of reports is related to the necessity for a personal meeting with the person or persons reporting the problem: over a half of the cases (55%) require one meeting and nearly one third (28.5%) – two or more meetings. If there is a necessity (especially in a situation when a given person is not present in Warsaw or in Poland and is not able to attend the meeting in person), the Ombudsman also uses the possibility for Skype meetings. Slightly over 10% of cases have been resolved without directly meeting the interested person – only by phone and correspondence collaboration. Detailed data regarding the mode of collaboration and communication have been presented in Table no. 15 below.

Table no. 15 Mode of cooperation with the person reporting the case.

| Mode of cooperation with the person reporting the case | Number | Percentage |
|--|--------|------------|
| one meeting  | 86     | 55%        |
| two meetings   | 18     | 11.50%     |
| more than two meetings                                 | 27     | 17%        |
| correspondence cooperation                             | 18     | 11.50%     |
| telephone contact                                      | 4      | 3%         |
| communication via Skype                                | 3      | 2%         |
| In total:  | 156    | 100%       |



An element which significantly hinders the organization of the work of the Academic Ombudsman and of her team are situations in which the person who reports a case does not attend an arranged meeting. Sometimes meetings are cancelled (frequently *post factum*), whereas in the majority of cases the person reporting a case simply disappears. Arranging meetings which subsequently do not take place results in the fact that the persons who report cases which are urgent and serious, frequently have to wait longer for a possibility to meet and solve their issue. It is a problem which occurs more and more frequently. In the coming year this problem will be subject to intensified reflection and improvement attempts.

A situation in which a person disappears after reporting a problem occurred 39 times. This means that reported cases which are not addressed constitute 20% of the total number of reports. Reporting a case followed by a lack of any contact takes place practically only in case of students. More detailed data regarding reporting persons who “disappear” have been presented in Table no. 16.

Table no. 16 Meetings that did not come to fruition

| Meetings that did not come to fruition                 | Number |
|--|--------|
| cancelled  | 20     |
| the reporting person did not turn up at the meeting    | 13     |
| the reporting person did not respond to the invitation | 6      |
| In total:  | 39     |

## Summary

### Institutionalisation

In 2018, further institutionalisation of the Ombudsman’s activities took place. Accepting and resolving a significantly increasing number of cases (the inflow of which has gotten close to 200 per year<sup>1</sup> which means nearly doubling the number from the years 2013-2016) is possible thanks to perfecting procedures, consequent increasing of the effectiveness of collaboration with university offices and units and the support of the university authorities provided for the conducted activities. It has to

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<sup>1</sup> With taking into consideration the cases reported by persons who “disappear”



be underlined that the described development of the activities of the Academic Ombudsman would not be possible without the active participation of the employees of her team, who continuously undergo trainings and develop their skills and with full personal engagement implement assignments of a significant level of difficulty in the relationship-institutional and organisational areas.

### **Spreading the knowledge about the Ombudsman institution**

The awareness of the possibility to use the services of the Ombudsman among employees seems to remain at a satisfactory level. The statistics of case inflow (with taking into consideration the affiliation of the reporting persons) proves that the knowledge regarding the Ombudsman has reached all the Faculties and the vast majority of the university units. Most probably not all the employees are aware of the existence of the mentioned institution, however, one can have the impression, that if they need this kind of help, they can easily get to know of it – the source of knowledge in this area may be the representatives of the faculty/unit authorities, employees of administrative offices and of faculty offices as well as colleagues who have already used the support of the Ombudsman.

In 2018 it was possible to achieve certain progress in terms of spreading the knowledge about the Ombudsman institution among students. A new method of reaching with information was applied, i.e. direct visits of the Ombudsman and her team (as well as of representatives of other support units, e.g. the Centre for Dispute and Conflict Resolution) at particular Faculties. The mobile information desk organised at faculties located at the Ochota Campus aroused high interest of both, students and employees.

### **An atmosphere favouring building equality and diversity**

The actions taken by the Academic Ombudsman are significantly influenced by the general atmosphere at the university. In the first semester of the academic term 2018/2019, a clear intensification of employee conflicts was noted which may be associated with the general level of tension related to the introduction of changes at



the university, resulting from the new act – the Law on Higher Education. At the same time, however, one could strongly sense the general increase of activities in the area of pro-equality actions. It also seems that the students' and employees' awareness and acceptance of this kind of actions is increasing. An element which is of enormous importance for the atmosphere in which the actions for equality and diversity are carried out is the support provided by the university authorities. The elements contributing to the qualitative change in this field include introducing further pro-equality solutions, especially: for the protection of employee rights (introducing an anti-mobbing procedure) and for equality and diversity (research on the equality of genders carried out by a specialist for equal rights, Julia Kubisa, PhD, works conducted in relation to the Gender Equality Plans).

In relation to the broadening of the sphere of the pro-equality impact and the increase of the number of people and bodies dealing with this activity, the Academic Ombudsman, in collaboration with the Specialist for equal-rights, undertook actions for strengthening internal communication in this area. Significant support in spreading knowledge about equality institutions and solutions at the University of Warsaw was provided by the Promotion Office. Continuation of activities in this scope is planned for 2019.

An element which was a significant qualitative change in the operation of support institutions at the University of Warsaw was the implementation of the Anti-Mobbing Procedure. A significant signal for the academic community was informing all the employees in writing about the introduction of the Anti-Mobbing Procedure (the familiarity with which was confirmed by the employee with his or her signature), which was convincing that the introduced change is realistic. The assessment of the Academic Ombudsman is that the introduction of anti-mobbing regulations is of enormous importance for the education of employees and for spreading appropriate patterns of conduct in employee relations. It seems that thanks to good cooperation between support institutions such as the Anti-Mobbing Coordinator, the Anti-Mobbing Committee, the Centre for Dispute and Conflict Resolution, the Rector's



Committee for Preventing Discrimination and the Academic Ombudsman for Students' and Employees' Affairs, it will be possible to much more effectively help employees in situations in which, until now, the possibilities to introduce changes were limited.

A significant particle which is missing to complete the system of building clear standards of academic life is an Ethical Code serving as support in normalising common academic principles referring i.a. to situations in which different groups of employees have got a different view on what is right and proper. Such a document (the project of which has been prepared in 2017) could be particularly useful in the period of the potential normative chaos, inevitably accompanying the introduction of changes of the principles of functioning of the university resulting from the reform of higher education, which is being introduced.

*The report was prepared by Anna Cybulko*