



31 January 2024

PERFORMANCE EVALUATION REPORT ACADEMIC OMBUDSMAN

FOR STUDENTS AND STAFF AFFAIRS

for the period from 1 January to 31 December of 2023.

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Context

The post of Academic Ombudsman was established by Ordinance No. 30 of the Rector of the University of Warsaw dated 16 August 2011 on the appointment of an Academic Ombudsman at the University of Warsaw (hereinafter referred to as Ordinance No. 30). Anna Cybulko took up her post on 1 November 2011. At the end of September 2012, Anna Cybulko was appointed for a second term of office (the first full term, i.e. four years), covering the period from 1 October 2012 to 1 October 2016. With effect from 1 October 2016, Anna Cybulko was appointed for a second full term, which ended on 30 September 2020, and on 1 October 2020, for a third term lasting until 30 September 2024.

This report is based on the provisions of section 11 of Ordinance No. 30, according to which: “Prior to 31 January each year, the Ombudsman shall submit a written report of their activities to the Rector”.

Responsibilities and organisation of work

In 2023, activities were conducted in accordance with the principles and procedures developed in previous years and covered all the areas of responsibility of the Academic Ombudsman identified in *Ordinance No. 30*, i.e.:

- Conflict prevention and promotion of ADR (alternative dispute resolution), in particular, the promotion of a work and study environment free of discrimination and mobbing, and working to strengthen equality and diversity.
- Domestic and international cooperation to promote and develop ADR and to strengthen equality and diversity.
- Direct assistance activities - interventions on reported cases.
- Signalling (*whistleblowing*) activities and proposing systemic development changes and remedial solutions.

Contact with stakeholders was conducted in person, by email, telephone and through virtual communication platforms such as Google Meets and Zoom. For the security and confidentiality of the proceedings, it is required for the initiation of intervention



by the Academic Ombudsman or representatives of her team to obtain written authorisation from the reporting person. Authorisation may be given during a meeting at the Ombudsman's office, or sent by post or internal mail in hard copy or attached to an e-mail as a scanned copy.

Academic Ombudsman Team

In 2023, the Academic Ombudsman was supported in her work by: Magdalena Miksa, acting deputy Ombudsman for student affairs, Elżbieta Felkner, acting as office coordinator, Anna Augustyniak, acting as communication specialist (since December this role was performed by Paulina Górnicka), and Agata Wrona, acting as mediator (having left the team in September, recruitment for the position is ongoing). Two staff members of the Academic Ombudsman Team have been appointed to anti-mobbing positions:

- Since 30 May 2018, Magdalena Miksa has acted as anti-mobbing Coordinator, pursuant to *Ordinance No. 49 of the UW Rector, dated 14 May 2018, on counteracting mobbing at the University of Warsaw*;
- On 22 June 2018, Elżbieta Felkner was appointed as Secretary of the Anti-Mobbing Committee.

Activity Report

Prevention of conflicts and Promotion of ADR

In support of the development of alternative dispute resolution within the university community and the promotion of a safe work and study environment free from violations of the law, discrimination and mobbing, the Academic Ombudsman undertook in 2023 the following initiatives:

- Continuation of regular information meetings to educate and disseminate knowledge on aid providing entities operating at the University of Warsaw. Members of the Academic Ombudsman team participated in a series of



meetings with first-year students during adaptation days. They also visited students from the Faculty of Political Science and International Studies, Faculty of Chemistry, Faculty of Management and the Faculty of Archaeology. During those meetings, they gave an overview of the Ombudsman's work at the university and answered questions about what kind of help to expect and in which cases to report problems.

- Activities aiming to improve the situation of transgender, transsexual and non-binary persons studying at the University of Warsaw, including initiating and supporting work on the implementation of an additional functionality in the USOS system which allows the student to enter a first name of their choice (a target first name) in line with their lived gender. The project to introduce the so-called “add-in” is being implemented simultaneously at the country's leading universities in cooperation with the Inter-University Digitisation Centre (in Polish: Międzyuniwersytecki Centrum Informatyzacji (MUCI)). The team led by Prof. UW Julia Kubisa, PhD, the Rector's Plenipotentiary for Counteracting Discrimination and Sexual Harassment, is responsible for the implementation of the project at the University of Warsaw.
- Conducting trainings on discrimination and equal treatment and co-presenting (together with Prof. UW Julia Kubisa, PhD.) networking meetings for faculty equality and anti-discrimination officers.
- Cooperation in the implementation of the Whistleblower Protection Directive (within the Team for the Internal Notification Procedure Implementation and Protection of People Reporting Breaches of Union Law).
- Cooperation with the Statutory Committee on the revision of the Ordinance on Appointing the Academic Ombudsman and on the revision of the Anti-Discrimination and Anti-Mobbing Procedure.



Cooperation within the University

The Academic Ombudsman cooperates with numerous organisational units and collegiate bodies operating at the University. Cooperation includes mutual referral of cases within the area of competence, as well as joint problem-resolving and the search for adequate solutions. In 2023, the Academic Ombudsman cooperated with, among others:

- The Plenipotentiary of the Rector for policies against discrimination and sexual harassment, Prof. UW Julia Kubisa, PhD.
- Plenipotentiaries for Equality at individual faculties.
- The Anti-Mobbing Committee at the University of Warsaw, established pursuant to Ordinance No. 24 of the Rector dated 26 February 2021 in the area of anti-mobbing at the University and Magdalena Miksa, the anti-mobbing coordinator at the University of Warsaw.
- The Rector's Anti-Discrimination Committee, when intervening in complaints of discrimination against staff members or students.
- The Centre for Dispute and Conflict Resolution at the Faculty of Law and Administration, among others in the area of mediation.
- The Psychological Support Centre and the Office for Persons with Disabilities, in particular regarding problem solving for people experiencing psychological and emotional difficulties.
- Offices at the University of Warsaw.
- The representatives of the student self-government bodies and the Student Ombudsman.
- Student research groups and student organisations.



National and international cooperation

The Academic Ombudsman also cooperates closely with the Academic Ombudsmen, the plenipotentiaries for equality and plenipotentiaries for security affairs appointed at other Polish universities. As the first person in Poland to be appointed as an Academic Ombudsman, she initiated the establishment of the Academic Safety and Equality Network (in Polish: Akademicka Sieć Bezpieczeństwa i Równości (ASBiR) – www.asbir.pl). Once the Association was officially registered (since April 2023), she was elected Chairperson of the Board.

The Academic Safety and Equality Network serves as a forum for exchanging good practices, sharing experiences, signalling problems and seeking solutions to difficulties common to the academic community. The important role of the Network consists in the ability to shape good practice, particularly in the area of anti-discrimination and anti-mobbing.

On 12-14 April 2023, the Academic Ombudsman together with her team participated in a seminar on academic values and the use of inclusive language in public institutions organised as part of the Academic Safety and Equality Network (ASBiR) by the Jagiellonian University in Kraków.

On 7-8 November, an ASBiR programme meeting was held at the Copernicus Integration Centre at the Nicolaus Copernicus University in Toruń, in which the Academic Ombudsman and her Deputy took part.

On 1 and 2 March 2023, the Ombudsman Team organised a study visit for a delegation from the University of Rzeszów: Dr Jan Gałkowski, Academic Ombudsman, and Marta Zgłobiś from the Equal Treatment Office. The guests had the opportunity to learn about the activities of the institution of the Academic Ombudsman at the University of Warsaw, the specifics of its work and the way the office is organised. The visit also provided an opportunity to learn about other assistance initiatives operating within the University.



The Academic Ombudsman also represents the University of Warsaw at events organised by central institutions: conferences, seminars and expert meetings. Among the more important national activities in 2023, the following are notable:

- Participating in the meeting of the Vice-Rectors for Student Affairs and Education of the universities affiliated to the Conference of Rectors of Polish Universities of Technology (KRPUT). During the meeting, the Ombudsman had the opportunity to talk about the role that academic ombudsmen play in supporting equality and counteracting infringements at universities (21-23 September).
- Participating in the meeting of the Rectors of the universities affiliated to the Conference of Rectors of Polish Universities of Technology (KRPUT). During the meeting, the Ombudsman presented a speech on promoting equality and inclusivity at universities and the role of the Academic Safety and Equality Network (26 September).
- Participating as a panellist at the opening of the Mediation Support Centre at Adam Mickiewicz University in Poznań during the seminar on “The role of mediation in conflict resolution in academia in the context of anti-discrimination policy” (16 November).

The Academic Ombudsman developed contacts abroad to gather knowledge and good practices supporting the introduction of new equality, diversity and antidiscrimination measures at the University of Warsaw. A key component of international cooperation carried out by the Academic Ombudsman was the activity within the European Network of Ombudsman in Higher Education (ENOHE – <https://enohe.net/>). On 14-16 June, the Academic Ombudsman for Students and Staff Affairs, together with the Deputy for Student Affairs, Magdalena Miksa, attended the Conference "From Amsterdam 2003 to Prague 2023. Higher Education Ombuds Offices: Reviewing! Reforming! (RE)Starting?" organised by the European Network of Ombudsman in Higher Education (ENOHE) and Charles University in Prague. The Ombudsman delivered a speech entitled "From a one-person experiment to a



universal network of ombuds. Implementation of ombuds institutions in Polish higher education".

The Academic Ombudsman also participated as an expert at the European Commission on Gender Equality at a regular legal seminar organised by the European Network Of Legal Experts In Gender Equality And Non-Discrimination, which took place in Brussels. The seminar provided an opportunity to learn about recent European Union legislation on the subject of equality and anti-discrimination, to exchange knowledge about experiences with experts from all countries of the European Union and to learn about the European Commission's equality plans for the coming year (30 November - 1 December 2023).

On 27-30 March 2023, the Deputy Academic Ombudsman for Student Affairs, Magdalena Miksa, participated in a study visit to Denmark (organised by the Department of Architecture, Design, and Media Technology - Aalborg University). This exchange of knowledge provided an opportunity to learn about the teaching aids and tools to support teaching for male and female students with disabilities and dyslexia that are implemented at Aalborg University.

Implemented information and promotional activities

In 2023, actions were undertaken in order to inform about and promote the activities carried out by the Academic Ombudsman. Communication on the activities of the Academic Ombudsman took place through the website www.ombudsman.uw.edu.pl and the @OmbudsmanUW profile on Facebook, launched in September 2022. The information published on the website www.ombudsman.uw.edu.pl was mainly devoted to:

- ongoing meetings with representatives of other UW units, other universities' representatives and members of organisations bringing together experts from the national and international academic community;
- trainings and meetings held, among others, as part of adaptation days at the UW faculties;



- new solutions introduced at the university, among other things, aimed at transgender support;
- educational content related to, among others, mediation.

Information published on the @OmbudsmanUW profile on Facebook, in addition to the topics mentioned above, also covered the organisation of the work of the Office of the Academic Ombudsman, introduced the ombudsman's working methods, as well as served to promote current valuable events and initiatives addressing equality and anti-discrimination issues.

The content published on the website and Facebook page was aimed at all groups within the academic community that might be interested in contacting the Academic Ombudsman, both in terms of support (students, doctoral students, research and administrative staff of the University of Warsaw) and systemic solutions being implemented at the University of Warsaw (ombudsmen from other universities, potential and actual partners of joint projects, etc.).

It should be emphasised that communication and promotional activities - in addition to the information context - also constitute an important element of professional management of the Academic Ombudsman's image, which in its turn builds the image of the University of Warsaw as an institution that takes care of the safety, rights and needs of its community members.

Direct assistance activities

The Academic Ombudsman performs the duties resulting from the provisions of *Ordinance No. 30*, according to which her tasks include assisting individuals and organisational units of the University in resolving disputes and conflicts and dealing with violations of the rules governing academic life. Below are statistics showing the number, type and thematic cross-section of cases which were submitted to the Academic Ombudsman in 2023. The statistics also show the number and type of actions taken.



Number of submitted cases

In 2023, 312 cases were submitted to the Academic Ombudsman. 23 cases were continued from the previous year. Detailed data on reporting of cases and the dynamics of change are presented in Table 1 and Chart 1 below.

Table No. 1. Impact of cases between 2013 and 2023.

Year	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Number of submitted cases	130	125	111	125	118	146	196	252	265	315	332	335
-- current year cases	130	114	103	119	111	134	185	240	254	308	312	312
-- cases continued from the previous year		11	8	6	7	12	11	12	11	7	20	23

Chart No. 1. Dynamics in reporting of cases between 2012 and 2023.



As the presented data shows, the dynamics in reporting of cases continues to demonstrate an upward trend.



Applicants

Pursuant to § 4 of *Ordinance No. 30 of the Rector of the University of Warsaw*, the Ombudsman shall take action:

- once the matter has been brought to the attention of the member of the academic community concerned,
- at the request of the student or doctoral student self-government authorities,
- at the request of the Rector,
- on the Ombudsman's own initiative.

Cases brought to the Academic Ombudsman are most frequently the ones submitted by individuals concerned, who present their problems individually or in groups. Problems are also occasionally submitted by direct superiors or by representatives of the unit's authorities, asking for support in analysing and diagnosing the problem or intervening directly in the case. There have been cases submitted by relatives of or individuals closely connected to those affected.

Among those reporting a problem, more than half (54%) are students of first and second-cycle studies; and 36% are employees: including research, administrative, as well as research and technical staff. Only 6% of reports came from doctoral students (see Table No. 2 for a detailed distribution of reports).

Table No. 2 Academic status of the reporting person

reporting entity	Number of submitted cases	%
Student	181	54%
Employee (in person or through their superior)	121	36%
Doctoral student	19	6%
Faculty Plenipotentiaries for Equality/Student Ombudsman	6	1.7%
Other	8	2.3%
Total:	335	100%

The distribution of reporting cases according to academic status is not significantly different from that of previous years. 2023 is another year in which cases from all



faculties and units of the University of Warsaw were submitted to the Academic Ombudsman. This can be read as a signal that information about the existence and operation of the Academic Ombudsman is present in all academic units of the University. A summary of reports by university unit is shown in Table No. 3.

Table No. 3 A summary of reports by university unit

Faculties and units	number of submitted cases
Faculty of „Artes Liberales”	5
Faculty of Archaeology	7
Faculty of Biology	12
Faculty of Chemistry	7
Faculty of Journalism, Information and Book Studies	7
Faculty of Philosophy	5
Faculty of Physics	7
Faculty of Geology	3
Faculty of History	5
Faculty of Applied Linguistics	13
Faculty of Mathematics, Informatics and Mechanics	8
Faculty of Economic Sciences	8
Faculty of Culture and Arts	4
Faculty of Political Science and International Studies	17
Faculty of Modern Languages	33
Faculty of Oriental Studies	10
Faculty of Education	4
Faculty of Polish Studies	13
Faculty of Law and Administration	32
Faculty of Psychology	13
Faculty of Sociology	5
Faculty of Applied Social Sciences and Resocialisation	11
Faculty of Management	12
Doctoral schools	11
Scientific and teaching unit	32
Central administration offices	17
Student Residence Hall	7
Other	27



Topics of the cases

Among the wide variety of cases reported to the Academic Ombudsman, it is possible to distinguish thematic groups into which the primary issues fall. A summary of problem areas by reporting entity is catalogued in Table 4.

Table No. 4 Summary of thematic areas of submitted cases by reporting entity

Topic of the submitted case	Reporting entity								final total
	student	doctoral student	academic	administrative officer	plenipotentiary faculty	Student Ombudsman	authority	from outside the	
conflicts and communication difficulties	12	5	24	22		1	13	1	78
social media								1	1
breach of ethics	4		3				1	2	10
unethical behaviour by students	8	1		1			3		13
unethical behaviour by other staff members			6	1			2		9
organisation and course of study	59	3	2		1			2	67
complaint against a lecturer	5	2	1			1	1	1	11
financial matters	7	2		1					10
stalking			1				1		2
LGBTQ+ persons' matters	57	2	1	1	1				62
difficulties of living in a student residence hall	9								9
work conditions and personnel policies		1	7	10			3		21
mistreatment (mobbing or discrimination)	4	1	5	2	1	1			14
other	16	2	5	2			2	1	28
Final total	181	19	55	40	3	3	26	6	335

Student affairs

Both the number and topics of student cases remained similar to the previous year. However, certain trends can be noted in terms of the number of submissions in particular problem areas.

Cases reported by students (or plenipotentiaries for equality in relation to student affairs) included, but were not limited to, the issues indicated below:



- discriminatory statements or behaviour by academic teachers or students,
- problems with obtaining credits (from a subject, lecture etc.) and with passing an exam,
- problems with the manner in which classes are run, changes to the credit obtaining rules during the course of study and difficult contact with academic teachers,
- financial matters - financial difficulties, scholarships, benefits, tuition fees,
- difficulties in obtaining special adjustments due to a student's particularly difficult situation,
- difficulties in obtaining or returning from sick leave,
- difficulties in cooperation between student and supervisor, or difficulties in changing supervisor,
- systemic exclusion of transgender persons.

As in previous years, the largest number of student submissions concerned matters relating to the organisation and course of study. There was also a traditionally high proportion of reports involving relational issues, including conflicts, communication barriers or tensions between student and lecturer or student and student. The frequency of submissions from people experiencing mental health problems or in crisis and from those who have difficulty coping with the realities of academic life (or if they cause problems towards third parties: students or academic teachers) also remained high. People with psycho-emotional problems reported problems affecting all areas of academic life, including difficulties with the course of study, conflicts with lecturers and other students (or inappropriate behaviour on their part, particularly mobbing and discrimination), legal and formal violations, etc. Many of the issues reported to the Academic Ombudsman were related to behaviour and events that took place online, in particular on social media.

There were significantly more reports relating to three thematic groups: conflicts and tensions taking place in the Student Residence Halls, discrimination and sexual harassment, and problems experienced by transgender persons.



It is difficult to say whether the increasing number of reports from the Student Residence Halls is related to a growing pool of problematic situations, or whether it is simply the result of an increased awareness on the part of both students and management of the possibility to obtain assistance from the Academic Ombudsman - both in terms of identifying the problem and recommending solutions, as well as mediation and conciliation activities. It should be noted that five of the nine cases reported (or 56%) related to problems involving international students.

The number of submissions in the area of discrimination and sexual harassment is increasing at a slightly slower rate than in previous years. Complaints mostly concern inappropriate behaviour by lecturers in the course of teaching (in particular violations of students' dignity and discrimination based on gender and nationality). Reports regarding the most serious violations, including behaviour corresponding to criminal conduct, are far less frequent. The perpetrators of violations against students are both members of the academic staff and other students.

There is a marked increase in the number of submissions brought by transgender persons who are in need of support for functioning at the University in accordance with their lived gender. In 2022 the Academic Ombudsman and her deputy provided support in more than a dozen such cases, while in 2023, the number of student submissions recorded in this area had increased to 57. The activities undertaken by the Ombudsman and her team in this regard will be described in more detail below, in the section concerning ongoing activities.

Cases submitted by staff

The topics of the cases reported by University employees have not changed significantly from previous years. The key problem areas are: conflicts, ill-treatment (particularly in the form of mobbing or discrimination), work conditions and personnel policies, unethical behaviour and violations of the law or academic rules.

Conflicts were horizontal, i.e. between colleagues, or vertical, between superior and subordinate. The majority of conflicts were relational and organisational in nature,



but there were cases where the substance/scientific issues were at the heart of the differences between the parties, or related to differences in value. The conflicts reported were generally binary in nature, but there were also more complex group disputes. The Academic Ombudsman was approached for help by both the employees involved themselves and their superiors who observed conflict within their team. Staff also reported conflicts and communication difficulties in the lecturer-student relationship.

Complaints relating to discrimination and mobbing continue to be a serious group of issues. Some of the submissions belonged to minor violations that could be remedied through corrective discussions. More serious cases required the commencement of the disciplinary or anti-mobbing procedure. In cases where there was a reasonable suspicion of grounds for mobbing or discrimination, the Academic Ombudsman suggested redirecting the case to the Anti-Harassment Coordinator or the Anti-Discrimination Coordinator. However, the final decision on whether to take this action belonged to the individual concerned.

The staff also reported to the Academic Ombudsman on issues related to working conditions and HR policies, covering in particular topics such as:

- awarding academic degrees,
- absence from work (reporting, catching up, substitution),
- improper performance of professional duties,
- staff evaluation, including the assessment of how classes are taught,
- intellectual property rights,
- bonuses,
- promotion procedure,
- regulation relating to the scope of responsibilities,
- termination of the employment contract or unwillingness to extend employment,
- remunerations,
- the scope of personal data provision,



- employment recruitment rules and conditions of employment,
- changes in work conditions.

Complaints about unethical behaviour concerned: the manner in which public discourse was conducted on social networking sites bringing together employees, or the manner in which discussions are conducted within a Faculty Council, the Scientific Council, the Council of the discipline or other collegiate bodies of the University, as well as copyright violations, in particular plagiarism or the incorrect use of research data. There were also complaints from lecturers about unethical behaviour by male and female students towards lecturers, including mobbing, stalking and inappropriate behaviour. An important factor in dealing with such problems is the lack of a clear University Code of Ethics to which the Academic Ombudsman would be able to refer when pointing out violations and recommending appropriate remedial actions.

Among the most serious legal and ethical problems were cases involving allegations of “competition rigging”. A significant problem in this area lies in the absence of a comprehensive and transparent procedure for appeals against decisions of the Competition Commission.

The Ombudsman also observed violations relating to copyright and data protection. In all of these cases, appropriate institutional response measures were implemented and actions aimed at preventing future violations were taken.

Actions undertaken

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

- providing relevant information on the functioning and legal regulations in force at the UW;
- indicating the units/persons competent to handle the case;
- providing support in dealing with a case by obtaining information or clarifying the matter with the relevant unit;



- conflict resolution support: diagnosing the problem and choosing how to solve it;
- recommending/conducting mediation;
- presenting information and recommendations to the Rector, which fall within the Ombudsman's responsibilities concerning the identification of necessary systemic changes and modes of operation at the University.

Table No. 4, presented below, shows the distribution of actions taken by the Academic Ombudsman in response to issues raised with her. The summary is simplified, and in fact the categories are not detached, with some cases falling into several categories.

Table No. 4 Type of actions undertaken by the Academic Ombudsman*.

Action undertaken	Number of submitted cases
Providing relevant information on the functioning and legal regulations in force at the UW and coaching (support in diagnosing a problem and selecting a solution)	83
Indicating the units/persons competent to handle a case	16
Intervention in the unit (obtaining information or clarifying the matter)	122
Mediation (recommendation, guidance)	46
Signalling in writing (providing a description of the difficulties encountered and/or recommendations for necessary systemic changes or corrective measures).	3
Monitoring of the procedures conducted at academic institutions	13
Total	283

*In 30 cases, no action was taken and 22 were not included because actions were taken in 2024

The category of *“providing relevant information on the functioning and legal regulations in force at the UW”* includes both helping the person reporting the problem to understand their own factual and legal situation, and to choose optimal solutions, as well as support for UW units in the proper interpretation and application of existing legal regulations Coaching activities included assistance provided by the Academic Ombudsman in situations of conflict, or harassment of an employee (particularly when there was no agreement to mediate or intervene) and development support for employees experiencing difficulties in their work lives. This action often



involves indicating the units or persons competent to handle the case. On the other hand, the interventions indicated under point two, i.e. “*indicating the units/persons competent to handle the case*” include situations, in which the Academic Ombudsman did not undertake any assistance actions of her own, but instead redirected the person reporting the case to the appropriate person or unit.

Mediation

Mediation is an amicable way of resolving conflicts, disputes between parties, and in this case between staff and/or students of the University of Warsaw. The aim of mediation is to reach a satisfactory, lasting and acceptable solution for the parties to the conflict, through voluntary and confidential discussions in the presence of a mediator, i.e. an impartial third party. The mediation takes place in a neutral location, in a safe atmosphere. Mediation allows the parties to re-establish dialogue to resolve a dispute by means of negotiation without entering into conflict or confrontation. In 2023, mediation was conducted by the Academic Ombudsman and mediator Agata Wrona or redirected to the Dispute and Conflict Resolution Centre attached to the UW Faculty of Law and Administration. Since the employment of the mediator, whose tasks included mediation with employees and/or students of the University of Warsaw, there has been a noticeable increase in the number of mediations carried out by the Team.

In 2023, 46 cases were submitted to the Academic Ombudsman where mediation was recommended. As a result of these recommendations, the Academic Ombudsman and a mediator from her Team conducted 22 mediation proceedings, with 1 case referred to the Centre for Dispute and Conflict Resolution. In 24 cases, the parties refused to agree to participate in mediation. Meetings were held either face-to-face or online, depending on the parties' preferences and capabilities. Within one mediation process there were between 3 and 12 meetings and discussions with the parties. In the vast majority of cases, the parties reached an agreement.



The fact that it is becoming more frequent for the person reporting the case to request mediation demonstrates an increased awareness among the University of Warsaw community on alternative dispute resolution and on the growing willingness to use mediation and other ADR methods.

Implemented activities in support of LGBTQ+ persons

In 2023, the Academic Ombudsman and her team undertook numerous activities aiming to improve the situation of transgender, transsexual and non-binary persons studying at the University of Warsaw. The lead person in this area was Magdalena Miksa, the Deputy Academic Ombudsman for Student Affairs.

In order to make it easier for transgender and non-binary people who do not wish to use their metric data, the Vice-Rector for Student Affairs and Quality of Teaching, Prof. Sławomir Żółtek, appointed a working team consisting of: Dr Anna Cybulko (Academic Ombudsman), Dr Julia Kubisa (Chairperson) and Klaudia Pożarycka (USOS expert). The team prepared a comprehensive project allowing for the introduction of an add-in into USOS and the Archive of Diploma Theses (in Polish: Archiwum Prac Dyplomowych (APD)) with preferred data overlaying metric data. The system established will enable trans people to use the data they prefer in their everyday academic relations, while leaving the metric data to fulfil the formal and legal obligations of the University. The project received approval from the UW Legal Affairs Office and has gone through consultations with the UW Students' Council, the UW Doctoral Student Council and the Queer UW research group, and is now being implemented at the IT level.

Until systemic solutions are implemented at university level, a system of support has been established for LGBTQ+ persons in terms of data and pronouns used and email address changes. A form was created for those wishing to use their preferred data during classes at the UW and to change their email address. The support path that was developed has allowed us to estimate the scale of the needs of trans and non-binary persons studying at the University of Warsaw.



Based on the forms received, 49 people have requested support. The request to change their email address concerned 33 people, while 31 people reported the need to inform lecturers of the preferred data and pronouns used. Those submissions were analysed and forwarded to the relevant units, to Plenipotentiaries Equality (where they were appointed) or to the Heads of Teaching Units. The support included providing information on the name used, pronouns and a request to respect the wishes of the student, identifying a plenipotentiary for equality or contact person (from the Academic Ombudsman team) from whom instructors can obtain information on transgender issues. During the implementation of the first stage of providing support, the Deputy Academic Ombudsman for Student Affairs maintained regular contact with the Heads of Teaching Units and the Faculty Plenipotentiaries for Equality.

It should be emphasised that transgender persons in need of support in terms of functioning at the University contact the Academic Ombudsman not only at the beginning of the academic year and regarding general matters (concerning the change of e-mail address or preferred pronouns). In 2023, there was a marked increase in the number of submissions brought by transgender persons who are in need of support for functioning at the University in accordance with their lived gender. The Academic Ombudsman and the Deputy Academic Ombudsman have received more than a dozen submissions regarding individual problems where specific support was needed in order to ensure the safety and comfort of the student and/or to ensure that actions undertaken are in line with current legislation.

Summary

2023 was a year of steady work for the benefit of the University, which was carried out in a manner consistent with the performance standards developed over the years. The number of submitted cases remained consistently high. Due to the enlargement of the Academic Ombudsman Team, through the intensive efforts and commitment of all team members, it was possible to deal with the submitted cases on a punctual and



timely basis. Temporary difficulties in maintaining a smooth response to submissions did arise due to the reduction in staff numbers.

A major innovation was the employment of an academic mediator in the Academic Ombudsman Team. Owing to the constant presence of a specialist dedicated exclusively to mediation and conciliation activities, it became possible to significantly increase the number of cases resolved through mediation. It should be noted that in cases when both parties were prepared to participate in mediation, this procedure proved to be a very effective form of action for both employees and students. In the view of the Academic Ombudsman, conflict resolution through an agreement reached in mediation appears to be particularly desirable in an academic setting, as it not only promotes dialogue and builds mutual understanding, but also creates good conditions for further cooperation and allows for new, creative solutions to be developed. For these reasons, the Academic Ombudsman perceives mediation to be the preferred form of action, which she wants to develop as widely as possible.

As in previous years, a large proportion of the working time of the Ombudsman and her team was devoted to dealing with difficulties arising from mental and emotional problems as well as personal crises experienced by students together with academic and administrative staff. In this regard, there is a distinct lack of a coherent and centralised procedure for responding to crises, particularly those that generate potential risks to life and health. In the event of a crisis involving, for example, aggressive behaviour on the basis of mental disorders, the various academic entities (Faculty, Student Residence Hall, Psychological Support Centre, Academic Advocacy, Office for Persons with Disabilities) often work in parallel without engagement with each other, thus increasing the overall amount of work required, generating chaos and reducing the sense of security of stakeholders. Therefore, it would be useful to develop a systemic solution, which defines recommended communication paths enabling entities to engage with each other and make their actions more coherent.



The number of reported cases of discrimination and unequal treatment continues to increase (albeit at a slower pace than in previous years). 2023 witnessed a huge influx of submissions from trans and non-binary people. The primary subject of those submissions concerned the expectation of receiving support in communicating to lecturers the request to address the student according to the preferred pronouns and the request to change the email address. Submissions relating to this area generate a considerable amount of work, which is carried out by the Academic Ombudsman Team in collaboration with Faculty Plenipotentiaries for Equality (where they have been appointed) and Heads of Teaching Units. With the launch of the so-called “trans add-in” in the USOS system, it is hoped that the problems submitted will find their systemic solution.

In the opinion of the Academic Ombudsman, a persistently important and unmet need of the University of Warsaw community remains the development of a clear and accessible Code of Ethics applicable to all. Particularly difficult and sensitive issues in this area are: the limits of freedom of expression and academic debate, conflicts of roles and interests, and the expected extent of loyalty to institutions and colleagues. In this context, the Academic Ombudsman returns to the closing statement of previous years' reports, namely, that an important missing piece to complete the system of building clear standards for academic life is the Code of Ethics, which would provide support in the standardisation of common academic principles relating to, among others, situations where different groups of employees have different views of what is right and proper.

The adoption of the Code of Ethics is essential not only due to the practical needs of the academic community, but also because of the commitments made by the University of Warsaw to its own community and to external institutions. The need for the adoption of a code of conduct/ethics was identified in a UW stakeholder dialogue (internal and external) carried out by the UW Office for University Advancement in autumn 2022 for the purposes of diagnosing the priority issues to be included in the University's Social Responsibility Report (SOU). The call for the adoption of the Code was noted under Topic 15: *Ethics and values of the university, including*



adherence to the “Code of Ethics for Research Workers”. The topic concerning the Code of Ethics also appears in the new UW Strategy for 2023-2032. In the “Friendly and active working environment” pillar, in the section concerning the achievement of objectives, indicator number 4 appears, which reads: “Adoption of an academic code of conduct/ethics. Preparation and adoption of an academic code of conduct/ethics by 2028. 0-1 (1=adoption of code).” The adoption of the Code of Ethics is also one of the commitments arising from the HR Excellence in research award which was granted to the University of Warsaw. The commitment to develop a Code of Conduct/Ethics covering ethical issues, the implementation of research and the avoidance of conflicts of interest was included in the Action Plan resulting from the HR Strategy for Researchers at the University of Warsaw, taking into account the principles of the European Charter for Researchers and the Code of Conduct for the Recruitment of Researchers. The completion date of the task is the end of 2024.

The report was prepared by Anna Cybulko