

ENOHE 2015

Thirty Years of Solitude? University Ombudsmen's Pioneering Past, Confident Present, Challenging Future

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Report of the twelfth Annual Conference of the European Network of Ombudsmen in Higher Education
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Ombudsstelle
für Studierende

ENOHE

European Network of Ombudsmen in Higher Education

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Introduction

ENOHE's 12th Annual Conference took as its theme 'Thirty Years of Solitude? University Ombudsmen's Pioneering Past, Confident Present, Challenging Future'.

Held in Innsbruck from 28 – 30 May 2015, the conference brought together over 70 ombudsmen from 18 countries for three days of presentations, workshops and plenary sessions on the role of the ombuds in universities across the globe.

Spain was the first European country to get a university ombudsman back in the mid-1980s; Canada had inaugurated one in 1965. During the 30 years since Spain's appointment of an ombudsman, many European countries or institutions followed suit, and 2015 was therefore a relevant point at which to reflect on the 'pioneering past' of various ombuds services and at how those have matured to a 'confident present'. The future is always challenging, but perhaps never more so in higher education than now, as universities take-up increases, fee regimes in many countries make higher education an ever more expensive investment on the part of the 'customer', and a global recession squeezes funding and resources.



Clarity of terminology

ENOHE periodically wrestles with its own terminology and definitions, and it is worth touching on those here. The 'European Network' is now much more than European, with delegates and speakers from Canada, the USA, Mexico, Brazil, Australasia, Israel, Georgia – and of course, Europe. Across such a geographic spread, definitions of 'ombudsman' vary considerably. In some countries, a nationally-appointed ombudsman has jurisdiction over all universities. In other places, appointment is on a regional basis or simply at institutional level. Some countries (e.g. the United Kingdom) see 'ombudsman' as a protected title, and therefore those fulfilling the role at national or institutional level do not use the ombudsman title. Other countries prefer the gender-neutral 'ombud' as an identifier. ENOHE generally uses the term 'ombudsman' across its network of members for the sake of simplicity, regardless of individual job titles – we understand what we do!

What is common to all within the ENOHE family is a desire to see disputes within universities resolved as fairly, effectively and respectfully as possible. A degree of neutrality is essential in ensuring fair outcomes, which can be a challenge within jurisdictions where appointments are made from within the institution.



Opening plenary presentations – and the ‘pioneering past’

The conference this year took place on the home territory of ENOHE’s President, **Josef Leidenfrost, Austrian Student Ombudsman**. It was fitting, therefore, that **Dr Josef Hauser, The Ombudsman of the Province of Tyrol**, and **Dr Josef Siegele, Secretary General of the European Ombudsman Institute**, should open the conference with an overview of their roles, setting the scene for discussion over the subsequent sessions of the variety of ways in which access to an ombudsman service could operate at national, regional or institutional level. Austria established a national ombudsman service in 1977, and therefore has a wealth of experience, with a good understanding amongst users of the service of the role of the ombudsman. (The full presentation for **Elisabeth Freismuth**, can be found in **Annex 2**)



The ‘pioneering past’ was also covered in a plenary delivered by **Marta Elena Alonso de la Varga (Spain)**, **Patricia Begne (Mexico)**, **Jenna Brown (USA)**, **Martine Conway (Canada)** and **Josef Leidenfrost (Austria)**. Martine explained the multicultural roots underpinning the service in Canada, where the Swedish ombuds system dating from 1809 had been looked at, as had the ‘Visitor’ system from England and the ‘classical ombudsman’ service in New Zealand. John Mynott, the first ombudsman for Simon Fraser University, had described the ombudsman as ‘the best answer for the little man’s grievances against maladministration’.



But in only three out of 10 provinces in Canada does the province ombudsman have jurisdiction over universities, and only 25% of universities have a campus ombudsman. Ombudsman structures and models varied accordingly, and though ACCUO¹ had adopted standards of procedure in 2012², there was no legislation to underpin this, and those offices which did exist, had been created and funded by individual universities or jointly with their students. Consequently, there was much debate about the role of ombudsmen – were they student rights advocates, or neutral conflict resolvers? Or should they more properly be an independent voice for fairness?

Jenna Brown described the classical antecedents of the role, transformed by social forces in the 1960s, when significant campus unrest across the States led to the quest for alternatives to the formal channels for resolution of disputes between students and institution. Universities were developing internal impartial problem-solving offices, and systemic change was needed – thus the role of ombuds was created. The original core principles of impartiality, independence and confidentiality still held good. Moves towards ‘professionalising’ the role had come early, with the California Caucus established in 1978 and still going. Other organisations had also developed, notably the UCOA in 1985 and the International Ombuds Association in 2005. None of this had been enshrined in law, but there were now 336 ombudsman offices across US universities, about a third of which were members of the IOA.

Marta Elena outlined a number of different models of services available in Spanish universities. Universities had developed their own services either for students or for employees or both groups, especially from 1985 onwards, and the majority of public and private universities now had an ombudsman office, though 15 did not.

Patricia spoke about Mexico’s 30 years of experience with university ombudsmen. UNAM³, with 300k students, had created a campus ombudsman role in 1985. In 2004, a national organisation, REDDU⁴, had been created and now has 20 members, with three more institutions in the process of applying. Ombudsman recommendations were non-binding on institutions. Patricia emphasised the importance of making procedures as simple, accessible and rapid as possible.

1 http://www.uwo.ca/ombuds/accuo_aucc/assoc.htm

2 http://www.uwo.ca/ombuds/accuo_aucc/english/SoP.pdf

3 <https://www.unam.mx/>

4 <http://www.reddu.org.mx/reddu/>

Josef spoke about Austrian history within the context of European history. The ombudsman role had been created in 1997, primarily for financial reasons. In 2001, on the eve of the reintroduction of tuition fees, the new role of student ombudsman was created and was enshrined in law. The role was primarily to assist students, to give recommendations to ‘the mighty’, and Josef saw the ombudsman as ‘a regulator with teeth’.

Who are we, and what do we do?

Expanding further on the issues noted earlier in this report around terminology, **Jenna Brown (USA)** and **Wolf Hertlein (Germany)** ran an excellent and highly participatory workshop designed to get participants talking about who they were, what they did and how they did it. This revealed many structural differences in how the ombudsman role is perceived and operated, but always with the common threads of impartiality and fairness woven into the structure. Anonymised case studies contributed by participants underlined the fact that – regardless of structure, nationality or language – the cases which ombudsmen see often share similar characteristics. Using ENOHE as a ‘community of practice’ in this way breaks down some of the sense of ‘solitude’ referred to in the title of the conference, and felt by many ombudsmen who are often working in some isolation.



The deadly sins in dispute resolution in higher education

A second workshop was conducted by **Josef Leidenfrost (Austria)** and **Doris Kiendl-Wendner (Austria)** exploring both the range of human behaviour and the vices apparent in individual responses during conflict. Particularly engaging in this session was the invitation for attendees to map the behaviours exhibited in several case studies. Attendees could choose any of the 7 deadly sins (lust, gluttony, greed, sloth, wrath, envy, pride) or 7 virtues (chastity, temperance, charity, diligence, patience, kindness, humility) and attach the sin or virtue to the participants at various points in the conflict. Returning to the ancient sins and virtues provided a refreshing lens by which to identify and examine the range of human responses confronting the ombudsman in every day practice. Attendees agreed there is as much to learn from antiquity as there is from contemporary conflict theory.



The ‘confident present’

Six sessions, each with two presenters or sets of presenters, looked at varied aspects of the confident present, from micro to macro level. **Marianne Hova Rustberggard (Norway)** told ‘a Scandinavian Tale’ of the ombudsmen concept in northern European higher education. Noting that the word ‘ombud’ was originally coined in Sweden, Marianne noted how long it had nevertheless taken the Scandinavian universities to develop their ombudsman schemes. In Sweden, there has been a long history of ombudsmen in children services, consumer protection, patient care, and equity. Today most universities have a student ombudsman that is selected by student unions. In Norway there have been parliamentary ombudsmen since 1962 but the student ombudsman model was developed at the University of Oslo in 2013 only. In Denmark, the student ambassador model was developed at the University of Copenhagen in 2013. The Scandinavian ombudsman models all issue public reports, are not established by mandate as each university chooses to establish an office, do not have formal authority to render decisions, and are for students only. In Norway in particular, the model is gaining rapid acceptance and student ombudsman could potentially be present at 50% of Norwegian universities by the end of the year. This progress is evident by the recently established Scandinavian (Nordic) Ombudsman Network in 2013.

Josef Leidenfrost (Austria) and **Marta Elena Alonso de la Varga (Spain)** noted the absence of any set of codified rules across Europe, with even simple terminology differing from country to country and region to region. This mirrored the fact that there were different histories and traditions to the establishment and operation of higher education across Europe. An important role for ENOHE was therefore to promote the role of the ombudsman (in its widest sense, and however defined) and to facilitate the sharing of experience and good practice. Josef and Marta also explored the routes which had led to a degree of formalisation of the role within the Austrian and Spanish higher education systems.

A worrying development in the **Netherlands** was covered by **Mathieu Heemelaar**, who spoke of cases where decisions or recommendations made by ombudsmen had led to their removal from the system. Ombudsmen in the Netherlands were appointed by individual universities, and whilst the general experience of the ‘campus ombudsman’ around the table was that - even if they were appointed and employed by an institution - their autonomy and impartiality was respected. Sadly that did not appear to be true in some cases in the Netherlands.

This contrasted with the presentation given by **Anna Cybulko (Poland)** who asked whether there was a place for the ombudsman in Polish universities. Making the point that it might seem perverse that the ombudsman - whose work depended on self-reliance, impartiality and confidentiality - was nevertheless an employee of the university, Anna noted that despite these potential tensions, the system seemed to be developing well. There was however scope for looking at the legal basis on which appointments were made, and for examining whether the role was primarily to ensure compliance with internal [university] regulations or national law. The question of how the ombudsman should be appointed was also explored, with possibilities to involve student unions or other collegial bodies in the selection process.

Ram Gidoomal (England and Wales, UK) continued the discussion of the principles behind effective governance of ombudsman schemes. He noted the ‘principles of good governance’ set out by the British and Irish Ombudsman Association in 2009⁵ – independence, openness and transparency, accountability, integrity, clarity of purpose, and effectiveness – and suggested that ombudsmen need to ‘get their noses in but keep their fingers out’. In other words, ombudsmen should be prepared to sniff around and investigate, with an understanding of the business and what was working, but should not meddle. There were, however, limits to this on occasion, and drawing on some recent and very tricky casework from other sectors, Ram drew out some examples which illustrated that a risk-based approach was sometimes needed.

The European Student Union (ESU)⁶ is a student-run autonomous organization representing 45 national unions of students from 38 countries. The ESU is committed to developing a partnership relationship between students, governments, and educational professionals in sustaining quality higher education and ensuring equal educational and social opportunities. By presenting the student perspective to the Bologna Process implementation, ESU advances recommendations for reform, including the proliferation of the student/university ombudsman role. **Karolina Pietkiewicz (Poland)**, an Executive Committee member of

5 <http://www.ombudsmanassociation.org/docs/BIOAGovernanceGuideOct09.pdf>

6 <https://www.esu-online.org/>

the ESU, talked about the Yerevan Ministerial Conference which had taken place in 2015 May on the future development of the European Higher Education Area. Sadly, it had not brought the hoped-for success in positioning the role of student and/or university ombudsman squarely in higher education policy. This session therefore looked at ENOHE's Warsaw Resolution of 2014, and at the prospects for lobbying further when the Bologna ministerial conference will next meet in Paris in 2018.

Continuing the very useful comparison of systems across the world, **Jenna Brown (USA)**, **Jim Wohl (USA)** and **Rob Behrens (England and Wales, UK)** looked at case presentations exploring similarities and differences in the role of the academic ombudsman, and how changes to the role were being addressed by universities. The important selling point was that the organisational ombudsman could assist individuals, but could also assist the university. Turning to an impartial and independent third party, outside the confines of a dispute which has often become increasingly 'personal' in nature, benefits both the complainant and the institution.

Irene Berkel (Austria) continued this theme with a case study from Innsbruck University where an internal dispute found its way into the local press and thus became a public issue. The university's approach to matters was an interesting one which led to the appointment of two ombudsmen – faculty members (one male and one female) who work at faculty level to improve the communication culture within the faculty and prevent further reputational damage. From a potentially bad situation, the university moved to a very positive outcome, underlining again the value of the ombudsman role.

Moving from the macro level through to the micro level, **Nathalie Depoorter (Belgium)** looked at the direct impact on quality assurance which could be made by an institutional ombudsman. Taking Ghent University as her case study, Nathalie explained that the ombudsman office handled complaints on the implementation of the university's Education and Examination Code and issues where situations were perceived by students to be unfair. The office also managed the academic appeals procedure. It was thus a privileged party when it came to educational quality assurance, and decisions deriving from both complaints and academic appeals were taken into account to improve educational quality overall. Although based around the case study of one specific university, the lessons to be learnt from this were extensive – with the potential to reduce perceptions of unfairness and thus to reduce complaint numbers overall.

Jean Grier (Scotland, UK) looked at other ways of helping individual students. Around 60 universities across the UK had now developed 'fit to study' policies which aimed to find more supportive ways of dealing with the relatively small but increasing number of cases where student mental health was the underlying problem. Most of the institutions which had introduced such policies saw them as an alternative to taking disciplinary action against a student whose 'bad behaviour' was potentially health-related. Policies were designed to help the university work with the student rather than against the student, and case studies suggested that they were often effective in enabling a student to realise the impact of their health difficulties, and to seek a break from study to allow time for recovery. Most policies enabled universities to insist on a student taking a break from study on health grounds, if the student was unwilling to reach that decision for themselves.

Continuing the theme of working with students with special needs, **Maria de Pellegrin** and **Elisabeth Rieder (Austria)** looked at the rights of disabled students as enshrined in the Austrian Universities Act 2002, and at a number of case studies demonstrating how issues had been resolved. The practical examples presented, and the contributions from the floor, made this a very relevant session especially for those involved in resolution of problems at the institutional level.

Nathalie Podda (Austria) delivered a very practical session demonstrating how the use of tailor-made CRM (Customer-Relationship-Management) software had enabled the Office of the Austrian Student Ombudsman to collate and extract data. An annual report covering selected cases, as well as data on trends and outcomes, enabled the ombudsman to cooperate with stakeholders and make recommendations to institutions for improvement, and to politicians. Use of the data in this way was clearly important both at macro and at micro level.



Marianne Hova Rustberggard
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Mathieu Heemelaar
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Dr Josef Leidenfrost
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Marta Elena Alonso de la Varga
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Irene Berkel
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Jean Grier
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Maria de Pellegrin
(Office of the Austrian Student Ombudsman - Austria)



Nathalie Podda
(Office of the Austrian Student Ombudsman - Austria)

The ‘challenging future’

With this grounding in our pioneering past and confident future, the sessions turned to emerging issues and projecting the next phase of the ombudsman in higher education: our challenging future. Eight presentations illuminated how we can anticipate our changing role in light of emerging trends of students, researchers, and the administration of higher education institutions.

Patrizia Jankovic (Austria) anticipated the unique role the ombudsman in its various forms can serve in the relationship between researchers, the institutions that employ them, and the funders that support research activities. This emerging role is highlighted by the sections of the Model Grant Agreement. In this context she referred to the ‘European Charter for Researchers / The Code of Conduct for the Recruitment of Researchers’ of 2005, that codifies the recruitment and working conditions of researchers and the performance agreements between Austrian public universities and the Ministry of Science, Research and Economy.

Patricia Begne (Mexico) hypothesized on the future of university ombudsman offices in Mexico where the ombudsman offices are independent organizations created by university boards. The Mexican ombudsman tradition emphasizes the commitment to preserving the university legal system, protecting the rights of communities within the university, and promoting respect for human rights. For Patricia, the priority is to help students succeed and serving that priority involves understanding the evolving agenda of university students. By maintaining awareness of students needs, focusing on protecting human rights and respecting the fair application of university policies and procedures, the ombudsman is uniquely positioned to advance institutional procedures and decisions. Through dialogue with university partners, awareness of student’s needs, and international cooperation, we can realize that promising future.

Marco Dworschak (Austria) is a legal scientist at the University of Innsbruck, a consultant for the Tyrolean government, and a former legal counsel for the Austrian Student Union. Marco shared the unique role he played in the development of mediation among student populations at the University of Innsbruck. Mediation has a history among employees of Austrian universities but no such formulation exists for students. Marco’s journey towards establishing mediation training for Austrian Student Union leaders and mediation processes for students initially focused on removing financial barriers by establishing a mediation fund. Secondly, Marco offered coaching and training seminars for student leaders. Most recently, Marco has begun serving as mediator in conflicts among student and conflicts between students and an organisation department. As the champion for mediation process, Marco’s combination of roles: student, law faculty, and legal counsel epitomize the breadth of individuals that can partake and benefit from a comprehensive mediation program in the university setting.

The Office of the Independent Adjudicator (OIA), serving to resolve complaints between students and universities in England and Wales, recently celebrated its 10 year anniversary. **Ann Lee (England and Wales, UK)** summarized the historical data on types of conflicts in which the OIA has engaged with an eye towards trends for the future. The OIA’s remit is broad, to review student complaints about university acts or omissions, and the fundamental questions guiding their work ascertain whether institutions properly apply regulations, follow reasonable procedures, and make fair and reasonable decisions. Interestingly, much of the OIA’s work has touched on the 2010 Equality Act⁷ and the obligation it places on public institutions to serve in a manner that treats students with dignity and respect. In this realm, a vast majority of student discrimination complaints involve disability issues. In addressing student complaints the OIA has adapted to a variety of web based and digital access opportunities that accommodate the needs and preferences of today’s student population. The data, legal, and technological aspects of the OIA experience portend a promising future for a central role of the OIA in advancing equity and fairness in higher education.

In Australia higher education faces a challenging future to ensure sustaining a world class system that is fair for students in an environment of proposed cuts to university revenue. **Deborah Peach (Australia)** from the University of Technology Brisbane explained how implementation of an expanded Student Ombudsman service model was implemented in 2014 at the Queensland University of Technology with an eye towards the uncertainty facing students. The design of the expanded model⁸ acknowledged the increased case load in recent years and that future sector-wide changes may further increase student demand. The establishment of a team ensured that levels of service were maintained and provided opportunities to discuss complex

7 <http://www.legislation.gov.uk/ukpga/2010/15/contents>

8 https://cms.qut.edu.au/_data/assets/pdf_file/0020/460703/2014-annual-report.pdf

cases, potentially resulting in better outcomes for students. A team-based approach was also intended to address the risk of case management fatigue. Other changes include the extension of services to include Higher Degree Research students, refurbishment of office space to improve the service profile and create a welcoming and professional environment, and increased use of communication technologies and electronic recordkeeping to ensure efficient case management and improved reporting. By making use of Activity Theory, analysis of feedback on the expanded model promises to reveal how to best position the student ombudsman services within the university and in a deregulated Australian higher education sector.

The Ombudsman Service at the University of Alberta has been a model in evolution and its Director, **Natalie Sharpe (Canada)**, described the recent transition from a student mentorship program into student internships. The development of the internship model was influenced by a combination of prior proposals for paraprofessional leadership experiences, the professionalization of the ombudsman role in higher education, the ACCUO professional association's guide to setting up an Ombudsman Office and its adoption of a Standards of Practice in Canada in 2012⁹. Networking with ombudsmen in higher education that have established successful internship programs throughout Canada, United States, Mexico and Europe was also important. For the interns themselves, benefits include communication and case work training and leadership skills development and through the program the office receives critical feedback from the interns that enhance services. This transition to student internships, as well as the storied history of the University of Alberta Ombud Service, shows us how through the values of flexibility, self-reflection, global collaboration, and adaptability of models, ombudsmen can thrive in a challenging future.

Patty Kamvounias (Australia) from the University of Sydney shared the layers of ombudsman models interacting with the complaint process in the Australian higher education system. Twelve of Australia's 37 public universities have an ombudsman on campus to deal with student, and in some instances, staff complaints. But having a university ombudsman does not preclude external review by a parliamentary ombudsman. For decades, parliamentary ombudsmen serve at the federal level and in each State and Territory. Complaints about public universities from students, staff and the general public may be made to the relevant parliamentary ombudsman as is the case with complaints about other public services. With wide jurisdiction and discretion, the parliamentary ombudsmen nonetheless only have powers to make recommendations if a complaint is sustained after investigation. These recommendations may be to the direct benefit to individual complainants but may also address systemic issues. According to Patty, the parliamentary ombudsman's impact is greatest when recommendations focus on improvements to policies, practices and systems, essentially provide lessons for decision makers. After reviewing 10 years of complaints and parliamentary ombudsmen recommendations, several themes emerge. These include improvements to the way universities communicate with students, provide information, make decisions, address individual needs, timeliness, and record keeping.

Rob Behrens (England and Wales, UK) delivered the final presentation in the challenging future track and gazed into the future of the regulatory framework of complaint handling systems for public services such as higher education. Rob pointed out that both the regulators and the regulated share a similar climate of expectations. These expectations focus on improved customer service, promoting consistency through knowledge management, and greater operational efficiency in terms of costs and time. For the ombudsmen community, the rise of professional associations as policy players is a parallel development with these expectations. The evolving differentiation of ombudsman schemes as either complaint handlers of first resort, last resort, or somewhere in the middle, will need to negotiate the possibilities and limitations of mediation and other innovations in complaint resolution, all while wrestling with the often incoherent landscapes of higher education. Finding effective schemes for handling student complaints will require navigating wicked issues: problems that resist conventional solutions because of incomplete knowledge, economic constraints, the large number of people, institutions, and regulatory schemes involved, and the interdependence of other social and cultural issues. By way of example, OIA survey data of student feelings after completion of university complaint procedures reveal a host of negative emotions.



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Natalie Sharpe
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Rob Behrens
(OIA - England & Wales)



Anne Lee
(OIA - England & Wales)



Conference conclusion: A provocative second plenary and the Innsbruck descriptors

The second plenary explored the tension between confidentiality and transparency in ombudsman practice and was moderated by **Rob Behrens (England and Wales, UK)**. Though most ombudsman schemes embrace independence and impartiality as a central tenet, the supremacy of confidentiality versus transparency varies with the authority creating the ombudsman (local, institutional, regional, national) and the positioning of the ombudsman in the complaint handling system (eg. First resort or last resort). After leading the Office of the Independent Adjudicator for several years, Rob's perspective rests with the supremacy of transparency. The principle forming the basis for the supremacy of transparency is service to the public interest. The most salient examples of OIA's exercise of transparency is through publication of non-compliance cases, designating complaints where appropriate as Public Interest cases, (and naming universities in such cases), publishing Good Practice cases, delivering an Annual Report, and issuing Annual OIA letters and Causes for Concern. Though there are costs to transparency that must be managed, participation in the public dialogue through its regulatory remit reassures parties involved and the public of the integrity of the process. Other public benefits include educating society by demystifying the process of complaint handling, preventing complaints from remaining "private grief" and ensuring that reputation is at stake for complainants and regulators rather than just the bodies that are targets of the complaint. A commitment to transparency that aligns with the ombudsman mission and authority ultimately promotes the independence and good practice for which we all are striving.

It was fitting that the conference devoted to the pioneering past, confident present, and challenging future concluded with a proposal to identify the key traits and principles of ombudsman practice in higher education. Among the variations in authority, scope, service population, and remits across Europe and the world, the attempt to articulate the purpose, expectations, skills and abilities of ombudsmen in higher education is designed to promote the higher education ombudsman in all its forms. The result of this initiative is the Innsbruck Descriptors presented by **Josef Leidenfrost (Austria)** at the conclusion of the 12th ENOHE Conference.

The Innsbruck Descriptors are benchmarking tools for ombuds institutions in higher education and serves to further promote the role and character of the university ombudsman in Europe (and elsewhere).

The Descriptors offer general definitions and guidelines regarding the *raison-d'être*, expectations, skills and abilities associated with ombuds institutions within higher education in the European Higher Education Area and beyond.

The Descriptors include the minimum common features of the variety of institutions, covering their informal and/or legal status, their positioning within academic and administrative hierarchies, remits, reporting obligations, and powers.

The Descriptors are considered to be a living document that can be refined, updated, and reconstituted as the profession evolves. Annex 1 contains the refined version of the Innsbruck Descriptors approved by the ECM on September 1, 2016. Publication of a refined version is anticipated later in 2016. All ombudsmen are encouraged to read and comment on the Descriptors as a means of sculpting our profession into our challenging future.



The Innsbruck Descriptors

**Circulated among Executive Committee Members
(approved at ECM Meeting 1 September 2016)**

To further promote the role and character of the university ‘ombudsman’ in Europe (and elsewhere) ENOHE is issuing the “Innsbruck Descriptors”. The term “ombudsman” is the term used throughout this document to identify the person or office with responsibility (within an institution or within a region) for overseeing the hearing of student complaints and appeals, whether the title of “ombudsman” is used or not.

The Descriptors offer general definitions and guidelines regarding the raisons- d’être, expectations, skills and abilities associated with ombuds institutions within higher education in the European Higher Education Area and beyond.

The Descriptors include the minimum common features of the variety of institutions, covering their informal and / or legal status, their positioning within academic and administrative hierarchies, remits, reporting obligations, and powers.

The Innsbruck Descriptors are benchmarking tools for ombudsman institutions in higher education first presented in 2015 at the 12th ENOHE Annual Conference in Innsbruck, hence this document is called “Innsbruck Descriptors”.

ENOHE

European Network of Ombudsmen in Higher Education

Initiatives to establish Ombudsmen for Higher Education

Initiatives to establish ombudsmen for higher education can be taken by a wide range of agencies, individuals and official bodies for a wide range of reasons and may take many forms:

Reasons to establish an Ombuds function include (but are not confined to):

- personal convictions of individuals (e.g. rector, a president, a dean or a director) or groups (e.g. student representatives), decision taken by the governing bodies at the higher education institution (HEI) concerned
- structural necessity (e.g. as a result of sub-optimal operation of procedures in faculties, or for certain specialist areas, or for groups of HEIs)
- political reasons (e.g. by governments, ministers) at the initiative of the minister or members of parliament, by enacting respective legislation

The establishment of higher education ombudsmen is usually a voluntary measure on the part of the individual institutions of higher education and without any prior obligations. More detailed conditions are rarely imposed by parliament or the ministries responsible for higher education.

Initiators

Initiatives to set up an ombudsman office are taken by:

- the German Research Foundation, DFG (Research Ombudsman), created in the mid-1990s covering all institutions receiving research funding in response to media pressure after a highly escalated case of lack of academic integrity and honesty
- student representatives as a quality assurance measure within the framework of (re-) designing curricula on the basis of a motion submitted by students to the senate for an entire HEI
- the rectorate, for all students at a HEI, established by a decision of the senate
- the rector, for all students at a HEI by a decision of the rector
- the vice-rectorate at the personal initiative of the Vice-Rector for International Relations for students taking part in international study programmes established by a decision of the rector
- an own initiative as an organisational measure implemented by the faculty for education by the quality manager on his or her own initiative for all students
- as a result of external requirement by a body with jurisdiction in this area (e.g. adoption by Scottish universities of a Model Complaints Handling Procedure developed in conjunction with the Scottish Public Services Ombudsman)
- In Spain by the Claustro (Senate) initiative, before the Law of Universities, in some universities (the first universities with an Ombudsman were the Complutense, Granada, León, Barcelona, Extremadura and Salamanca in 1985)

Terminology, Legal Basis and Framework Conditions

Terminology

The term “ombudsman” is rooted in the word “ombud”, which in turn is derived from the Old Norse word umbod, meaning proxy or attorney.

In the higher education sector, ombudsmen may operate at national, regional or institutional level, and a wide range of terms are used:

- **Austria:** Ombudsstellen für Studierende
- **Belgium:** ombudsman / ombudsfrouw
- **Croatia:** studentski pravobranitelj
- **Denmark:** student ambassador
- **England/Wales:** Office of the Independent Adjudicator for Higher Education
- **France:** médiateur/défenseur académique
- **Germany:** Ombudspersonen für Studierende; DFG-Ombudsman für die Wissenschaft
- **Ireland:** ombudsman
- **Israel:** ombudsman
- **Italy:** difensore degli studenti
- **Malta:** university ombudsman
- **Norway:** studentombudet
- **Poland:** Rzecznik akademicki
- **Portugal:** provedor do estudante
- **Russia:** студент омбудсмен
- **Scotland:** a variety of titles within HEIs, e.g. ‘complaints manager’; at national level reporting to the Scottish Public Services Ombudsman
- **Spain:** defensor universitario
- **Sweden:** ombudsman för studenter; Universitetskanslerämbetet
- **Switzerland:** Studentenombudsmann
- **Netherlands:** ombudsman

Legal Basis and Framework Conditions

In a number of European countries, higher education ombudsmen (centralised or decentralised) are enshrined in law.

- **decentralised:** Malta, since 1993, in the Higher Education Act
- **decentralised:** Spain, since 2001, in the Ley Orgánica de las Universidades
- **decentralised:** Croatia, since 2007, in the Higher Education Law of 2007
- **centralised:** England and Wales, since 2004, in the Higher Education Act
- **centralised:** Austria, since 2011, in the Act on Quality Assurance in Higher Education

Positioning

- an independent institution that is not bound by directives from hierarchies such as the rectorate, the president’s office, heads of institutes, management or other decision-makers
- an institution that exists as an independent organisational unit
- an institution with an independent budget
- an institution with autonomy in personnel matters
- an institution with (ideally geographically) separate offices, but at least with a separate entrance
- an institution with clear lines of communication and links to government bodies/ other official bodies such as those responsible for study matters and supervisory authorities
- an institution with its own statutes / own rules of procedure
- an institution with an independent web presence

Remit of Ombudsmen in Higher Education

General:

Austrian Student Ombudsman at the Ministry for Science, Research and Economic Affairs, Vienna

(reporting to the responsible government minister and parliament)

Matters related to degree programmes, teaching, examinations, services and administration at higher education institutions (§ 31 (3) of the Act on Quality Assurance in Higher Education HS-QSG 2011)

<http://www.hochschulombudsmann.at/>

Office of the Independent Adjudicator for Higher Education, Reading, United Kingdom (with public annual reports)

All acts or omissions of Higher Education Providers, including complaints and academic appeals where the internal process has been exhausted but the complainant remains dissatisfied. Excludes admissions issues and narrow academic judgements.

<http://www.oiahe.org.uk/>

Scotland

Under a Model Complaint Handling Procedure developed by SPSO, complaints from anyone (members of the public as well as students and applicants), defined as ‘an expression of dissatisfaction by one or more individuals about the standard of service, action or lack of action by or on behalf of the institution’.

Particular:

For students (examples):

- Student Ombudsman at the FH Wien University of Applied Sciences of the WKW, Vienna, Austria
<http://www.fh-wien.ac.at/campus-leben/ombudsstelle/>
- Student Ombudsman at the University of Klagenfurt, Austria
<http://www.uni-klu.ac.at/main/inhalt/42888.htm>
- Ombudsman at the Faculty of Education at the University of Innsbruck, Austria
<http://www.uibk.ac.at/fakultaeten/bildungswissenschaften/studium-und-lehre/ombudsstelle.html>
- Ombudspersons at the ETH Zürich, Switzerland
<https://www.ethz.ch/de/die-eth-zuerich/organisation/ombuds-und-vertrauenspersonen/ombudsstelle.html>
- Ombudsman at Goethe-University Frankfurt/Main, Germany
<http://www.uni-frankfurt.de/38426337/ombudsmann1>
- Ombuds' Committee at the University of Hamburg
<http://www.uni-hamburg.de/forschung/service/gute-wissenschaftliche-praxis/geschaeftsstelle.html>

For students, academic and staff members:

- In Spain you can find the web sites of 61 Ombuds Offices in the webpage of CEDU
www.cedu.es

For Selected Areas such as (examples):

- recognition and accreditation issues
- complaints/academic appeals/relationship/improvement management
- admission
- nostrification
- (specialist) matters concerning students studying on international programmes

Ideal Person

Drawing up a Job Profile:

- define minimum required competences
- define nice-to-haves

Identification Process:

- recruitment commission
- job advertisement
- both
- decide on nomination or selection procedure
- hold (public) hearings
- official nomination or appointment (chosen by a committee) (e.g. senate, University of Applied Sciences Council)
- official presentation

Profile:

- staff member from the institution
- external candidate in pectore or through job advertisement
- with experience in higher education administration, teaching, and management
- with experience in conflict management / conflict processes / conflict mediation/ conflict resolution
- possibly with mediation training
- social skills

Type of issues and how to handle them

Types of Issues:

The way in which a matter put before a student ombudsman is dealt with depends on its nature, whether it is, for example,

- an informal matter for which there is an informal solution,
- a formal matter with formal complaint procedures,
- a personal issue where it is possible to find a personal solution,
- a systemic issue that requires changes to be made,
- an issue that concerns an entire category of institution that will require major changes to existing regulations

Procedure for Dealing with Issues:

- record the issue (by telephone, contact form, personal meeting)
- verify the facts, figures and other data, if necessary request (additional) written documents
- carry out an initial analysis of the issue and possible solutions, make a decision about whether to pursue the matter further
- obtain the consent of the party who submitted the matter to pursue it further
- obtain the facts of the matter from the perspective of the institution by contacting the person (most recently) involved at the institution
- obtain a statement/account of the facts
- draw up a proposal for a solution
- forward the proposal to the institution
- forward the most important details of the institution's reaction(s) to the person who submitted the complaint
- ensure that the complainant's confidentiality is protected unless otherwise agreed.

If a Complaint is Justified:

- obtain a statement and / or statement of the facts from the / superior at the institution
- draw up a recommendation for those in positions of responsibility at the institution
- forward the recommendation to the responsible body with a request for a statement or suitable measure(s) to resolve the matter
- forward the recommendation to the head of the institution with a request for a statement
- deal with the recommendation
- deal with the solution / non-resolution (e.g. at a regular meeting with the head of the institution or at any relevant [perhaps also extraordinary] sessions of the responsible bodies or agencies)
- publication of the matter and details of how it was resolved or not resolved (e.g. in the annual report)

Elisabeth Freismuth

Autonomous Universities and Independent Ombudsmen: Does it Work? Does it Really Work? Can that Work?

Ladies and Gentlemen, dear colleagues from around the world of higher education, when such a group of high potential ombudsmen and ombudswomen comes together for such a high-level annual meeting of your network: how can a rector say no to the organizers of this conference if asked to give the keynote today? This speech then is about autonomous universities and independent student ombudsmen and the relationship between them.



I will do this with keeping in mind my several professional backgrounds I have to offer from all my previous positions. Originally, I began my career as a legal expert at the bottom of the hierarchical pyramid, starting my way “in the troubles of the plains”. This was followed by an intensive time as a university director for several academic years, always faithfully serving the respective university community. During those years I was very active in a European network myself, namely HUMANE, the Heads of University Management & Administration Network in Europe.

As a top university civil servant I then was called to become the director general at the Federal Ministry of Science and Research. I applied, I got the job and held this position for seven continuous years, being in charge of infrastructure, budget, and human resources. I had the privilege to serve four different Austrian ministers of science and research, and I served them with great energy.

Since October 1, 2014 I am now holding the position of the rector of the University of Music and Performing Arts in Graz. I again had been invited to apply for this position. Since I thought this was yet another thrilling challenge for my career I did apply, and as you can see: I got the job!

So, it's now more than half a year that I am finally my own boss, am I not?

Being one's own boss

Ladies and gentlemen, I want to begin with looking into a possible informal definition of a “rector”. And I found a very comprehensive one, given by a dear colleague of mine, Manfred Welan from the Vienna University of Natural Resources and Life Sciences. His definition shows how multi-faceted this position really is. I am quoting Welan:

“A rector is someone who has to comprise several indispensable skills, such as public speaking, persuading and convincing people, being a good and intensive listener. Further skills required are those of an animator, an inspirator, a psychotherapist and a group therapist, an arbiter, a motivator, a diplomat, a wailing wall, an ombudsman and an honest broker between groups”

From this quotation alone, and this comes, after all, from a well-experienced, long-time rector's colleague of mine, you can guess yourself what a rector is up to in daily life. I want to leave it to your imagination how much of one's own boss one can really be under the given circumstances. You as ombudsmen and ombudswomen most certainly have had and still have lots of possibilities for a “reality check” for this definition with YOUR respective rectors, right?

After these about eight months in my new position as a rector, I still do think that I am as free and independent as I never have been before. Being a rector is a permanent challenge, it is daily learning by daily doing. I have my own opinion on what I can do and how. Certainly, all experiences made during my previously mentioned jobs are helping me with my current job.

According to the Austrian Universities Act of 2002 a rector has the following duties.

- presiding over the meetings of the rectorate
- acting as its spokesperson
- nominating candidates for election as vice-rectors
- managing the university office

- negotiating and concluding performance agreements and development agreements with the Federal Ministry of Science, Research and Economy
- acting as the supervisor of all university staff
- selecting professors from shortlists drawn up by the appointments committees and
- concluding employment and service contracts.

Together with the team of vice-rectors he or she is also in charge of admitting of students as well as establishing and discontinuing study programs, prohibiting curricula or changes thereto under certain given conditions.

I deliberately mention all these functions since they clearly demonstrate the immense responsibility a rector bears in leading a university. And that being one's one boss can mean many things.

Size matters

With some 2.000 students at my university and the possibility of selecting applicants who want to study at there - like at any other university of arts in Austria - we are better off than institutions of the size of, for example, the University of Vienna with some 94.000 students as the largest education institution of higher education in this country, with almost no selection criteria applicable and hence free access for almost everybody with a higher school leaving certificate.

Whether it is music, dramatic arts, fine arts or applied arts you are interested in, the universities of arts in Austria provide an ideal place for the discussion and further development of art and science for their students. What does matter in this context is not only specific for us but for all higher education institutions: that size matters, in every respect at all universities.

We as the universities of the arts as relatively small sized higher education institutions with special structures, are sometimes said to be institutions of our own kind, living on our own little planets, probably even "abgehoben" as we say in German, out of touch with the real world.

Yet, no matter how big or how small the number of students, of staff, of academics, of course programs, of take up rates, of students taking exams regularly (there are almost no "inactive" students at universities of the arts due to the master class system), third-party funds – all that matters at universities of the arts, too.

Right now, at this very moment, one of my most important tasks for me as rector is to prepare the new performance agreement between my university and the Federal Ministry of Science, Research and Economy for the next three years' contractual period from 2016 until 2018.

It is hence especially exciting for me since last time I myself was still "on the other side", at the ministry. It has a certain charm and appeal having changed sides. It is interesting to see the needs and necessities of one out of 21 public universities, of my university, and the point of view of the ministry.

When it comes to anything that has to do with facts and figures, when it comes down to money, we are all in the same position, public and private, classical and specialized universities, small and large ones. This is the time when we all have to realize: Neither the rectors have nor the minister has a money printing machine in their respective basements.

Resources need to be used carefully. Financial support should not get lost due to inefficient administration, unclear structures and / or the improper use of human resources. Good inter-personal relations and clear cut responsibilities are therefore an absolute necessity.

Living and working together is more easily done within smaller institutions and can be better steered, yes, also size-related, through effective relationship management. It does make a difference if an institution comprises several tens of thousands of students and staff or just a few thousands. As I said, size matters!

Autonomy is not conflict-free

Let me return then to autonomy which is by no means a guarantee for being conflict-free. No matter how big or how small institutions are, I am again talking about size that matters, conflicts can arise anywhere on any subject.

There are only few regulations and standards regarding conflict, conflict treatment, and conflict resolution mechanisms available. This adds procedural problems in conflict treatment to the actual substantial issues and topics of the conflicts of university life itself. The regulations that rule the cooperation and life of the members of universities are laid down in detailed provisions such as the appointment procedures of rectors, of professors, or with the creation of the structure and content of curricula and regulations concerning studies and examinations.

Conflict treatment *de iure* is not to be found explicitly in any regulatory framework. But of course, there are already *de facto* conflict handling instruments at Austrian universities in place. But they are not being adequately announced, they are sometimes (geographically) difficult to locate and, therefore, their services are at times difficult to engage.

As part of their recently acquired autonomy, Austrian universities are entitled to set their own measures of “evaluation and quality assurance” in order to ensure a functioning (conflict-free) internal structure. These measures shall guarantee the high quality of the universities’ main tasks as well as their performance and secure concrete activities, processes, and structures.

University staff and students causing conflicts, affected by or involved in conflicts at universities here in Austria can make use of various very formalized conflict treatment bodies like the Arbitration Board or the Working Group on Equal Opportunities, among others. But they are all not really low-threshold institutions at all.

Independent Ombudsmen and their legal bases

This then, I would say, is the time to discuss the position and the role of an ombudsman and / or an ombudswoman in higher education, independent ones, let it be understood!

Why and since when do university ombudsmen exist?

The world’s first university ombudsman Offices were set up in the 1960s in North America during the Civil Rights and Anti-Vietnam movements’ activities. They were established to help calm the violent campus unrests whose roots lay with the American war effort in Southeast Asia and with the struggle for civil rights in Canada and the US. They were also intended to help solve the resulting long-term conflicts between students and universities. At the time its main tasks were:

“...to respond to demands for a neutral, confidential, and ‘safe’ place to discuss concerns and voice complaints. The early emphasis of Ombuds programs was to increase the perception and reality of ‘fairness’ and justice of procedures and decisions made on campus, and to assist people in navigating the increasingly complex maze of procedures that were being developed.”

University Ombuds Offices are also found in other regions and on other continents, such as Mexico in Central America, since 1985, where they contributed to the development of human rights in general. In Australia and New Zealand they have been an integral part of the local higher education systems since the late 1990s.

In Europe, Spain is the country where the first ombuds offices were set up during the 1980s, on their own accord and as a voluntary measure. This was a result of the general societal changes and thus, similarly to the US, a strong civil-society phenomenon, even before the term “civil society” achieved the ubiquity it did in the political and social debates of the 1990s. The so-called Ley Organica de las Universidades of 2001 determined two important, closely related, elements serving as a kind of general theme for all similar institutions also elsewhere: on the one hand the establishment of ombudsmen offices as designated official bodies for the informal treatment of conflicts between all members of the university, and, on the other hand, contributing to the overall improvement of quality in higher education.

I don’t have to tell you about ENOHE, the loose and informal but very active association of higher education ombudsmen in Europe. From what I learned from your webpage ENOHE is a network of individuals and bodies, who are interested in the work of university ombudsmen, expanding knowledge, enhancing skills, sharing approaches to common problems, and creating a possibility for a more solid base for the

ombudsman function. Institutions from several countries with new legal provisions for the establishment of university ombuds services are now affiliated with ENOHE like the “Office of the Independent Adjudicator” for England and Wales established under the Higher Education Act 2004, or Croatia with the “Studentski Pravobranitelj” (Student Ombudsman), established in 2007.

Interaction by decree?

Austria, under the Higher Education quality Assurance Act of 2011, was so far the last country (so far) to enshrine higher education ombudsmen in law, to be more precise the Austrian Student Ombudsman at the Ministry of Science and Research.

I was still working at the Ministry, as a kind of trailblazer, when the new institution took off the ground. I precisely remember the initial phase of the designing and implementing of a good back up electronic administration system which now helps to prepare the legally compulsory annual reports for the minister and to parliament.

Under the above mentioned law, university decision makers are obliged to give any information requested by the Student Ombudsman on issues brought forward to him. He, in turn, can make investigations upon his own motion. And as of the academic year 2015/16 he will be able “to name and shame”.

Do I for my university, the university of music and performing arts in Graz, want to be mentioned in the Student Ombudsman’s next annual report?

The legal possibilities are there, the formal way has been paved by federal legislation. But I do not think, and this still needs to be debated between the two sides involved, if it needs legal force to cooperate in solving common cases. Wasn’t the informal way taken so far much better? Under the new regulatory system there is also a potential discrepancy growing between the principles of confidentiality on the one hand and absolute transparency on the other hand.

Hence I want to close with three versions of a similar question: Does the relationship between autonomous universities and independent ombudsmen work? Does it really work? Can it work?

Does it work? Does it really work? Can that work?

Question one: “Does it work”. This implies that something is already taking place between both sides. To my knowledge my own institution does not have any current issues to be dealt with by the Student Ombudsman in Vienna – at least nothing has reached my desk, yet.

“Does it really work?” means that one of us or both have doubts, that it really does work, in other words, that both sides do not believe in the principles set up by the lawmakers that autonomous universities are in a way controlled by the independent ombudsman at the ministry in Vienna, or mutatis mutandis, by one’s one local ombudsman (that we do not have) and don’t need.

“Can it work?” is a question addressed to the future. Both sides do not have any experiences (with each other) yet. It needs to be seen what will happen next and how. I understand that some of you do have respective experiences with going public with cases brought forward to you.

I hope that I was able to encourage additional discussions for you during the next two days with these three questions of mine. What the right answer for myself and my university will be you find out when reading Josef Leidenfrost’s report to the minister and to parliament on the 15 December 2016.

Let us therefore continue discuss these questions further in two years’ time. Enjoy your work as independent ombuds people until then. We as the autonomous rectors will appreciate it.

Thank you very much for your attention!

Abbreviations

- **ACCUO** - Association of Canadian College and University Ombudspersons
http://www.uwo.ca/ombuds/accuo_ouucc/english/
- **ASO** - Austrian Student Ombudsman
<http://www.hochschulombudsmann.at>
- **BeVeOm** - Netzwerk der Beschwerde- und Verbesserungsmanager*innen sowie Ombudspersonen in Studium und Lehre an deutschen Hochschulen
<http://www.beveom.de/>
- **CEDU** - Conferencia Estatal de Defensores Universitarios
<http://cedu.es/index.php/8-secciones>
- **CRM** - Customer Relationship Management
- **ENOHE** - European Network of Ombudsmen in Higher Education
<http://enohe.net>
- **ENO** - European Network of Ombudsmen
<http://www.ombudsman.europa.eu/en/atyourservice/enoinroduction.faces>
- **EOI** - European Ombudsman Institute
<http://www.eoi.at/>
- **ESU** - European Student Union
<https://www.esu-online.org/>
- **IOA** - International Ombudsman Association
<https://www.ombudsassociation.org/home.aspx>
- **IOI** - International Ombudsman Institute
<http://www.theioi.org/>
- **OIAHE / OIA** - Office of the Independent Adjudicator in Higher Education
<http://www.oiahe.org.uk/>
- **REDDU** - Red de Organismos Defensores de los Derechos Universitarios
<http://www.reddu.org.mx/reddu/>
- **UCOA** - Universities and Colleges Ombudsman Association
- **UNAM** - Universidad Nacional Autonoma de Mexico
<https://www.unam.mx/>
- **USOA** - United States Ombudsman Association
<http://www.usombudsman.org/>
- **VOHO** - De Vereniging Ombudsmannen Hoger Onderwijs

Speaker Biographies

Marta Elena Alonso de la Varga

Ombudswoman of the University of Leon, Castilia y Leon, Spain

Marta has a PhD in Veterinary Science and has been working as a full professor in the Veterinary Faculty of the University of León since 2001. Previously she did her the Doctoral Thesis and was Assistant Professor in the Department of Animal Production from 1990. She was elected as Ombudswoman for the University of León in December 2009 and was re-elected in September 2012. She gave presentations at the ENOHE Conferences in Madrid in 2011, in Oxford 2013 and in Warsaw 2014, and at the V Conferencia Estatal de Defensores Universitarios (CEDU) in September 2012 in Almería (Spain) and at the XVI CEDU October 2013 meeting in Seville (Spain). She was a member of the Executive Committee of CEDU from December 2011 until October 2013 and Vice-President of this Executive Committee during 2012-13.

Patricia Begne

Ombudsperson of the University of Guanajuato, Guanajuato, Mexico

Patricia is a Professor of Law at the University of Guanajuato, Mexico. She is also University Ombudsman at the same university and serves as a consultant to law firms in the United States. She was a Fulbright Scholar at Pennsylvania State University and Daemen College and has been a visiting professor and guest lecturer at several law schools in the United States. Her publications include: *Women, Globalization and Democracy* (2006) *Mujeres* (2004), *Women and the law in the State of Guanajuato*, (2003) and recently *Citizen Participation* (Essay 2014); co-author in *Challenges and Perspectives teaching Law* (2005) etc. Member of several Associations as the National Bar Association of Mexico, the Bar Association Mexico-United States since 1998 among others.

Rob Behrens,

Independent Adjudicator and Chief Executive, OIA, Reading, England & Wales

Rob has been the Independent Adjudicator and Chief Executive of the OIA since May 2008. He has developed the OIA Scheme through extensive consultation (the 'Pathway' series) with the English and Welsh higher education sector, promoting early resolution, greater transparency and the creation of the good practice framework for handling complaints and academic appeals. He has worked with government and opposition politicians to secure expansion of the remit of the OIA to include all providers of higher education in England and Wales from September 2015. From 2006-2008, Rob was Complaints Commissioner to the Bar Standards Board. Having competed in an open competition, he is now a member of the Bar Standards Board and Chair of its Qualifications Committee. From 2003-2006 Rob was Secretary to the Committee on Standards in Public Life. Rob's early career was as a lecturer in Public Policy and Administration at Coventry Polytechnic (now Coventry University). In 1988 he joined the Cabinet Office and developed 'Fast Stream' training and the provision of equality of opportunity training and development at the Civil Service College. From 1992-1997, he was Director of the Southern Africa Development Unit. He led UK-sponsored development and training for the African National Congress and other liberation movements.

Jenna Brown

University Ombuds, University of Denver, Colorado, USA

Jenna is the University Ombuds at the University of Denver, serving all sectors of this private American university since starting the office in May 1999. A trained mediator, Jenna has designed, developed and directed innovative programmes introducing and incorporating conflict management skills and dispute resolution services within organisations in the USA. Jenna has received training in negotiation, mediation, conflict resolution, and investigation in the USA and Europe. She has been an ENOHE conference attendant ever since 2003.

Martine Conway

Ombudsperson of the University of Victoria, British Columbia, Canada

Martine has been ombudsperson at the University of Victoria since 1999 and has over 20 years of experience as an educator and mediator on university and college campuses. Her work has extended to workplace and community settings, restorative justice initiatives and human rights education. Martine is interested in building ties across sectors and models of ombuds practice. She previously served two terms as president of the Association of Canadian College and University Ombudspersons (ACCUO). She is a member of the Forum of Canadian Ombudsman (FCO), the North West Ombuds Group (NWOG), and part of the steering committee for the European Network for Ombuds in Higher Education (ENOHE). In 2006, Martine received the Pete Small Award from the California Caucus of College and University Ombudspersons.

Anna Cybulko

Ombudsman, University of Warsaw, Warsaw, Poland

Anna was appointed as Ombudsman of the University of Warsaw in 2011. As ombudsman she assists the academic community in dealing with organisational and interpersonal disputes and finding the solutions for delicate and complicated matters. She specializes in the field of conflict resolution, interpersonal communication and small group dynamics. She graduated from the Faculty of Law and Administration and from the Faculty of Psychology at the University of Warsaw. She mediates and facilitates agreements in civil, family, commercial, and labour disputes. Her expertise includes facilitating discussions and debates, also ones that for different reasons have a complicated communication background. As a trainer, she conducts trainings and workshops in the area of conflict management and resolution, interpersonal communication, mediations and negotiations. She collaborates on permanent basis with Centre for Disputes and Conflicts Resolution at the Faculty of Law and Administration, at the University of Warsaw (Centrum Rozwiązywania Sporów i Konfliktów, WPIA, UW).

Maria De Pellegrin

Deputy Head of the Office of the Austrian Student Ombudsman, Vienna, Austria

Maria was born in Vienna and is a graduate (Mag. phil.) from the University of Vienna (Translation Studies). She was head of the Dean of Studies' Office from 1999 until 2003 at the Vienna University of Economics and Business (Wirtschaftsuniversität Wien). In 2004 she became head of the Study Programs Management and was also a member of the Equal Opportunities Working Group. From 2008 until 2014 she was the Disabled Students' Officer at the same university. Ms De Pellegrin is now the Deputy Ombudswoman at the Office of the Austrian Ombudsman at the Federal Ministry for Science, Research and Economy and has participated actively in several ENOHE conferences to date.

Nathalie Depoorter

Staff Member, Institutional Ombuds Service, Ghent University, Ghent, Belgium

Nathalie received her Master degree in History and started working at Ghent University as a staff member education in December 1998. For 8 years she worked at the Faculty of Arts and Philosophy where she was responsible for educational quality assurance and internationalisation. In 2006 she became senior education adviser at the Ghent University Association, a cooperation between Ghent University and three surrounding university colleges. Since January 2011, Nathalie has been a staff member at the institutional ombuds service of Ghent University where she handles complaints and questions regarding education and examination matters. She is also responsible for internal appeal procedures where students can file an official complaint against exam grades and decisions regarding the study progress of individual students.

Marco Dworschak

Assistant at the Institute of Criminal Law at the Leopold Franzens University Innsbruck, Innsbruck, Tyrol, Austria

Marco graduated in 2011 with a degree in law at the Leopold-Franzens University of Innsbruck; from 2011 to 2012 he undertook a traineeship at the District Court and Regional Court in Innsbruck and in 2013 was a trainee in Administration "Foreign Policy Affairs" at the District Administrative Authority of Innsbruck-Land. From 2011 to 2015 Marco was Legal Counsel at the Austrian Students Union at Leopold-Franzens University Innsbruck; since 2014 he has been Senior Scientist at the Institute of Criminal Law at the Leopold-Franzens

University of Innsbruck; since 2014 he has been enlisted at the register of mediators at the Austrian Federal Ministry of Justice; since 2015 he has been a Consultant at the office of Tyrolean Vice-Governor Mag. Felipe.

Elisabeth Freismuth

Rector of the University of Music and Performing Arts Graz, Graz, Styria, Austria

Elisabeth has studied law, history and history of art at the University of Vienna. After completing her legal internship and her assistant activity at the Institute of Austrian and European Law History at the University of Vienna she was first serving as director of the rectorate from 1985 to 1990, after that as university director of the University of Music and Performing Arts in Vienna. From 2008 to 2014 she held the position of the director general of Section VI in the Federal Ministry of Science, Research and Economy, in charge of financial affairs, human resources, buildings, science communication and public relations, central services, ICT, counselling and support of students, recognition matters and international university law, protocol, as well as of gender and diversity management. Among other tasks she was also a teacher at the Max-Reinhardt-Seminar, she is the president of the association "Freunde der Filmakademie Wien, a jury member of the "International Emmy Awards", the co-founder and vice-president of the association "Forum Universität und Gesellschaft", a member of the advisory board of the Arnold Schönberg Centre and the academic advisory board of the University of Siegen. Elisabeth Freismuth took over the position of the rector of the University of Music and Performing Arts Graz on Oct 1st, 2014.

Ram Gidoomal

Chair of the Office of the Independent Adjudicator for Higher Education, Reading, England

Ram is Chair of the Office of the Independent Adjudicator for Higher Education, Fair Trade pioneers Traidcraft, Board Member of the Food Standards Agency, the New York City Leadership Centre and Honorary Member of the Faculty of Divinity Cambridge University. Past roles include UK Group Chief Executive of the Inlaks Group, an international company with 7000 employees in 15 countries, Board and Council Member of Imperial College, External Member of the Audit and Risk Assurance Committee of the UK Equalities and Human Rights Commission, member of the Complaints Audit Committee of the UK Border Agency, The Better Regulation Task Force, Vice-chair St Georges Medical School, Visiting Professor of Entrepreneurship at Middlesex University, Companion of the Chartered Management Institute and co-founder of the Christmas Cracker Charity Trust which engaged over 50,000 young people in the UK to raise over £5m for good causes in the developing world.

Jean Grier

Investigations Manager and Research and Projects Officer for the Vice Principals, University of Edinburgh, Scotland

Jean is Investigations Manager at the University of Edinburgh, a large (37,000 students) university in the UK. Complaint handling in Scottish universities comes under the jurisdiction of the Scottish Public Services Ombudsman (SPSO), and universities in Scotland work within a sector-wide two-stage complaint handling procedure (CHP) which places the emphasis on early resolution of complaints. Jean chairs the Scottish Higher Education Complaints Forum, a group of practitioners set up to look at the challenges in working within the model CHP and to share expertise.

Josef Hauser,

Provincial Ombudsman of the Province of Tyrol, Innsbruck, Tyrol, Austria

Josef was born 1965 in Kappl/ Paznauntal/Tirol, Dr Hauser has lived since 1984 in Pians bei Landeck/Tirol, is married and has three children; he completed his high school and matura in Landeck, and from 1978 to 1983 studied law at Innsbruck University and obtained his Dr. iuris in Innsbruck. From 1984 until 1991 Dr Hauser was head of personnel offices in the private sector; from 1991 until 2001 Head of Unit at the district commission in Imst; from 2001 until 2004 was a member of the independent administrative panel in Innsbruck; and since 1 April 2004 has been the regional Ombudsman of Tyrol.

Mathieu Heemelaar,*Ombudsman for Staff at The Hague University of Applied Sciences, The Hague, The Netherlands*

Mathieu has been ombudsman for staff at The Hague University of Applied Sciences, the Netherlands since September 2013. From 1989 till 2013 he was a university lecturer for 25 years as well as chairman of the Council of Workers and Students of the University. He was a lecturer in Methods of Social Work and Sexology at the faculty of Social Work. He published a standard work in Dutch on Sexuality, Intimacy and Social Work which saw a fourth, revised edition in 2013. Heemelaar is an active member of VOHO, the Dutch organisation for ombudsmen in higher education which reached a formal status as an association in 2014. In 2014 Heemelaar published research on time-management for ombudsman staff and contributed to model regulations for ombudsman to secure the position of ombudsman, complainers and accused within the university. In 2014 Heemelaar participated in the ENOHE conference in Warsaw. Heemelaar has a Bachelor and a Post-bachelor degree in Social Work and a post-bachelor degree in Mediation.

Wolf Hertlein*Complaint Manager, Technische Universität Darmstadt, Darmstadt, Germany*

Wolf has participated at the ENOHE Meetings in Madrid 2011, Oxford 2013 and Warsaw 2014. He has been the complaint manager at Technische Universität Darmstadt in Germany since 2009 and received an advanced training as a mediator in 2010/2011. Prior to that, Wolf was press officer at Technische Universität Darmstadt communication unit from 1999 to 2009, and from 1996 to 1999 at the University of Oldenburg. He worked as a research scientist at the Alfred Wegener Institute for Polar and Marine Research Bremerhaven from 1992 to 1996 and as an innovation consultant at the Chamber of Industry and Commerce Oldenburg in 1990. Wolf studied mathematics, biology and other fields of his personal interdisciplinary interest from 1981 to 1989 at the universities of Konstanz, Ulm, and Oldenburg. He was born 1962 in Trier, loves his wife and three daughters, likes people and being alone, dancing and pilgrimage, conflicts and harmony.

Patty Kamvounias*Senior Lecturer in Law at the University of Sydney, Sydney, Australia*

Patty has been admitted to practice as a solicitor of the Supreme Court of New South Wales and the High Court of Australia and is now a Senior Lecturer in Law at The University of Sydney Business School and Program Director, Graduate Commerce. Patty teaches a range of undergraduate and postgraduate subjects including competition and consumer law. She has a research interest in higher education and the law and her work has been published in leading academic and professional journals in Australia and overseas.

Patrizia Jankovic*Head of Unit for Human Resources – International at the Austrian Federal Ministry of Science, Research and Economy, Vienna, Austria*

Patrizia was born in Vienna and is a graduate from the University of Vienna (Humanities). After working at Austrian Permanent Representation to the European Union in Brussels, Belgium, she was a public relations officer and project manager for educational courses, language projects and projects in the field of adult education at the SOCRATES National Agency in Vienna. In 2005 she started to work at the Federal Ministry of Education and was in charge of adult education, National Qualification Framework and Lifelong Learning Policies with regard to general education. Currently she is head of unit for Human Resources – international at the Federal Ministry of Science, Research and Economy and programme delegate within Horizon 2020 for the European Research Council, Marie Skłodowska-Curie Actions and Future Emerging Technologies.

Doris Kiendl-Wendner

Chair of the Institute of International Management, FH JOANNEUM University of Applied Sciences, Graz, Styria, Austria

Doris received her Master's degree and her Doctorate in Law at Karl Franzens University Graz (Austria) and her degree of Master of Legal Studies in Comparative European and International Law (LL.M.) at the European University Institute in Florence (Italy). Her teaching and research is concentrated on university management, European Union law, international business law and international arbitration. She has published several books and articles on business law and university management. Dr Kiendl-Wendner served as Vice Rector at FH JOANNEUM University of Applied Sciences in Graz, Austria from 2007-2014. In this capacity she is involved in strategic issues on quality assurance, examination rules and student affairs on the university level. In addition, Dr Kiendl-Wendner is chair of the degree programme of International Management at FH Joanneum, University of Applied Sciences. Her responsibilities as programme chair include curriculum development, HR management, quality assurance in teaching and student counselling.

Anne Lee

Adjudication Manager, OIA, Reading, England

Anne joined the OIA in 2006 as an Assistant Adjudicator and became an Adjudication Manager in 2009. Her background is that she has previously worked in higher education and is a qualified solicitor (spending a number of years in private legal practice as an advocate, as well as working for charities and public bodies). Anne has taught in universities and colleges and also has experience of university administration and admissions.

Josef Leidenfrost

Austrian Student Ombudsman, President and Convenor of ENOHE, Vienna, Austria

Josef joined the Austrian Ministry of Higher Education in 1988; he served as adviser to three ministers in the 1990s and early 2000s on such issues as academic internationalisation, higher education, national and European scholarship programs, and students' rights and duties. Head of the Office of the Austrian Student Ombudsman since 2001, enshrined in law 2011. Josef started his professional career as a television journalist in the early 1980s, including in-depth research on Austrian contemporary history and publications on post-war relations. He was awarded a doctorate by the University of Vienna in 1986. In 2012 he completed his Masters in mediation. After bringing Austrian higher education institutions into international networks and associations, he set up the Austrian ERASMUS Office, which later became the SOCRATES National Agency in the mid 1990s. Beginning in 2001 he played a pivotal role in setting up a complaint and acceptance management system for Austrian higher education institutions and a central agency for students' complaints at the Ministry. He is a co-founder of the European Network for Ombudsmen in Higher Education (ENOHE). He is the editor of ENOHE's occasional papers and of the ENOHE News newsletter.

Deborah Peach

Student Ombudsman, Queensland University of Technology, Australia

Deborah commenced as QUT Student Ombudsman in January 2014. Dr Peach has over 20 years' experience in higher education as an academic and in student support roles. Her previous relevant roles include Head of a postgraduate, residential college; co-ordinator of university-wide academic support services; and co-ordinator of international student support services. The focus of her teaching and research over the past 10 years has been leadership in graduate skills and work integrated learning (WIL) in discipline areas including teacher education, engineering, built environment and design. Dr Peach is the recipient of a prestigious national citation for learning and teaching and is currently the project leader of a national learning and teaching grant in collaboration with four other Australian universities examining access and equity issues for students in work integrated learning.

Luc Van de Poele

Institutional Ombudsperson, Ghent University, Ghent, Belgium

Luc is the Institutional ombudsperson and head of the Educational Quality Control Office of Ghent University central services since 2006. Before 2006 he was senior researcher at the Faculty of Psychology and Educational sciences. He participated in several networks of the Organisation for Economic Cooperation and Development (OECD) for the development of international education indicators. In 1997 he started the educational development program for academic staff members, which is now still part of the activities of his team.

Nathalie Podda

Desk Officer at the Office of the Austrian Student Ombudsman, Vienna, Austria

Nathalie was born in Villach (Austria). She studied media and communication sciences (Master) at the University of Klagenfurt. After her studies she worked as an editor and journalist in Germany. Nathalie Podda works now for the Office of the Austrian Ombudsman at the Federal Ministry for Science, Research and Economy in Vienna and is responsible for case management, data base management and public relations, especially the compilation of the annual report.

Roland Psenner

Vice Rector for Academic Affairs and Student, Leopold Franzens University of Innsbruck, Innsbruck, Tyrol, Austria

Roland was born in 1950 in Bozen, and studied biology, limnology and biochemistry at the University of Innsbruck, where he also did his PhD. From 1977 to 1986 he was a postdoc at the Austrian Academy of Sciences, where he was a researcher from 1988-1990. In 1987, Psenner worked as a planner in his home of South Tyrol. In 1991 he became an associate professor, and in 1997 an ordinary professor at the University of Innsbruck. His research interest is in particular the effects of climate change on alpine ecosystems such as high mountain lakes or glacial regions. Psenner has been married since 1982 and has two sons. From 2010 until 2012 he led the interfaculty research project "Alpine Regions – Man and Environment". He has been involved in university politics and administration for a long time; from 2001 until 2004 he was the Dean of the Biology faculty. He has also been involved in numerous domestic and foreign research committees, including the FWF, the Austrian Fund for Promotion of Scientific Research (2005-2008), he was president of the International Commission for Scientific Research in the Alps (ISCAR) and is currently the chairman of the National Committee of Global Change at the Austrian Academy of Sciences. Psenner has had 140 works published in journals and 30 book chapters published, is co-editor of a series of books on the Alpine region, which currently has 14 volumes, and works on the editorial board of prestigious periodicals. Psenner knows the University of Innsbruck, as well as the Austrian and international higher education landscape, from different perspectives – as a scientist, teacher, and advisor. Since March 2012 he is the vice-rector for teaching and students at the University of Innsbruck.

Elisabeth Rieder

Manager of the Administrative Department, Office for the Disabled Students and Handicapped Trust Personal, Leopold Franzens University Innsbruck, Innsbruck, Tyrol, Austria

Elisabeth studied Political Science at the University of Innsbruck, is the Head of the disabled advisory board in the City of Innsbruck, a Skilled Lay Justice in the Federal Administrative Court, a Certificated Expert/Consultant for Non-Disability Access Building/Construction without barriers and author of different books.

Marianne Høva Rustberggard

Ombudsperson for Students at the University of Oslo, Oslo, Norway

Marianne is UiO's and Norway's first ombudsperson for students, and she took up the position in February 2013. Before starting the ombuds scheme at UiO, she was a full time chairperson of SiO – Norway's largest student welfare organization. Marianne has an LL.M. and a Bachelor of Arts from the University of Oslo. In addition she has broad experience of student politics from various offices held, as well as organisational experience and board experience. She is also trained in conflict resolution national experience and board experience. She is also trained in conflict resolution.

Josef Siegele

Secretary General of the European Ombudsman Institute, Innsbruck, Tyrol, Austria

Josef was born on 29 May 1960, in Zams; is Roman Catholic and Austrian. He studied for 3 years at "Handelsschule" (commercial school), followed by 4 years of "Handelsakademie" (Commercial College) for working people. He studied jurisprudence in the form of evening courses at the University of Innsbruck and graduated in 2002 as Magister iuris and in 2004 graduation as Doctor iuris. Professional activities: from 1978 to 1979: accountant with the company Josef Zangerle, construction and carpentry; from 1979 to 1980: military service; from 1980 to 1981: accountant with Josef Zangerle; from 1981 to 1985: accountant and expert accountant in electronic data processing with the company Huter & Ibetreu; from 1985 to 1986: educational leave; six month' release from work in order to pass the final examination at the commercial college for working people (commercial college with evening classes); since June 16th. 1986 : regularly employed at the board of the Tyrolean provincial government in Innsbruck; since March 21st, 1987, released resp. attached to the Club of the Diet of the Austrian's People's Party ÖVP as the secretary of the club (political activity); since 2004: in position as national people bar Tirol; since 2005: UNCAV (United Nations Correspondents Association Vienna), Member of the board; since 2006: Deputy regional chairmen of the journalist trade union KMSfB (art, media, sport and free one journalistic occupations) and journalism since April 2006; since 2009: Secretary General of the European Ombudsman-Institute (EOI); from 2013 to 2014 – Training representative Auditor proficient at the Universities of Kiev and Rivne, Faculty of Law - Ukraine; from 01.04.2014 – 30.09.2014 – Training representative Auditor proficient at the University of Novi Sad, Faculty of Law - Serbia.

Natalie Sharpe

Ombudsperson at the University of Alberta, Edmonton, Alberta, Canada

Natalie has a B.A. Hon, M.A. Anthropology, has professional certificates in negotiation, mediation and arbitration. She has worked at the University of Alberta for almost 30 years in the capacity of advisor, mediator and ombudsperson. Natalie is the Director of the Office of the Student Ombuds which has just launched a student ombuds intern program. Her staff members hold full-time appointments: Graduate Ombudsperson, Undergraduate Ombudsperson, and two Ombuds Interns. The office handles a caseload of around 1200 students annually. Natalie continues to teach part-time in the social sciences (women and work; women and unions; the anthropology of gender roles; alternate dispute resolution). She has taught at urban and rural post-secondary campuses, aboriginal colleges and online (distance) education. Her earlier careers included directing a Metis Land Claims Project; and Social Science Researcher/Editor for The New Canadian Encyclopaedia. The discipline of anthropology has informed Natalie's holistic approach of listening to diverse cultural perspectives; this adapts well to using the ombuds lens of fairness. Over the past year, Natalie has worked closely with ACCUO colleagues to develop a Fairness Guide on their Best Practices. The Guide is a sampling of practices and resources for the higher education ombuds community; it also commemorates the 50th anniversary of the ombuds presence in Canada. This is Natalie's 7th ENOHE conference and 6th presentation at ENOHE.

Jim Wohl

University Ombudsman, University of Connecticut, USA

Jim is the University Ombudsman at the University of Connecticut. Previously, Jim served as Ombudsman at Auburn University and Louisiana State University USA. Since 2006, Jim has worked on the roster of mediators that serves the US Nuclear Regulatory Commission in addressing workplace disputes at US power companies. Prior to his work as ombudsman and mediator, Jim was a faculty member at the College of Veterinary Medicine at Auburn University. This is the third ENOHE conference Jim is attending.



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