

Ombudsperson annual report 2023

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1 Foreword and reader's guide

Foreword

The last annual report! Although the term continues until September 2024, I experience the preparation of this annual report -later than planned- as a conclusion of a wonderful period in which:

- In cooperation with others and through support from everyone, we managed to get the ombudsfunction within WUR off the ground and develop it into what it is today;
- I got to know and work with inspiring and committed people from WUR.
- I had the opportunity to contribute to policy and implementation such as a code of conduct, the mindlab programmes, a handbook on casuistry for managers, a social safety campaign;
- I was allowed to be part of the social safety contact point;

This would not be possible without the trust I have received from reporters, managers within WUR and the board. I leave with a full backpack of learning experiences of what went well and what went less well.

My great thanks go in particular to the members of the social safety working group, confidential counsellors, company social workers, the education and student affairs people, the people from HR and the Executive Board of WUR.

Reading guide

This report covers the period 1 November 2022 - 1 January 2023 and the year 2023 (1 January-31 December).

Chapter 2 contains developments in the past period. Chapter 3 describes the operational work of the ombudsperson: the nature of reports, the profile of reporters and the ombudsperson's interventions. Chapter 4 deals with the ombudsperson's observations based on themes, followed by an opinion.

Jacqueline Schoone, Ombudsperson.

2 Developments in 2023

2.1 Ombudsperson term extension

It was decided to extend the ombudsperson's two-year term by one year to 12 September 2024 to allow sufficient time for evaluation and recruitment of the new ombudsperson.

2.2 Evaluation of ombudsperson function

On 22 June 2023, bureau Bezemer and Schubad released the report Evaluation Report Ombudsperson Wageningen University & Research. <https://intranet.wur.nl/umbraco/media/22966/evaluatie-rapport-wur-ombudsperson.pdf>

The evaluation report highlights that the ombudsperson is an indispensable function within the social safety helpline system. The ombudsperson is seen as an authoritative function who can identify and address issues from an independent helicopter view, who can act as a catalyst in both escalating and de-escalating issues of a structural or individual nature, and who can be approached as an independent third party on a low-threshold, confidential basis.

The evaluation report states:

- The ombuds function has contributed to a safe, healthy and professional working and studying environment at WUR.
- The role and mission of the ombudsperson function is in line with what was stated beforehand.
- The ombuds function has proved to be an addition to the existing help structure and is a low-threshold facility, an independent party that can mediate.
- Some comments can be made on whether there is good coherence with the other components within WUR's auxiliary structure.

Furthermore, the conclusions mention that while the broad scope of the ombudsperson at WUR, for both staff and students, is not shaped like this at all universities, it works well at WUR as a capstone in case existing structures do not provide solutions.

WUR's deliberate choice not to exclude the ombudsperson's handling of individual cases, which do not suit the trustee or in case the trustee hands them over, is named as flexible. This makes the ombudsperson even better able to determine whether or not isolated issues are the tip of the iceberg and part of a structural deficiency.

Following the conclusions, no concrete proposals for improvement were developed, but recommendations were made. These recommendations and the EB WUR's follow-up to them are included in an annex to this report.

2.3 Social safety contact point evaluation

The ombudsperson was part of the 'triage team' from the start of the contact point. In November 2023, the contact point was evaluated by in-house lawyers. The report came out in February 2024. This evaluation concluded that the Social Safety Contact Point is a low-threshold facility found by staff, students and PhD candidates. What is striking is that bystanders also approach the Contact Point, and that the Contact Point is also approached for less serious issues. However, the information about the tasks of the Contact Point is not always clear, so that it is conceivable that reporters feel beforehand that they are getting substantive advice from the Contact Point rather than being referred. The composition of the Contact Point is now a mix of people who do and do not work within the aid structure, with different backgrounds. This works well for the current referral task. If it would be considered to assign heavier tasks to the Contact Point, such as a management and/or expertise role, this would require a different composition of the Contact Point. Coordination with certain bodies within the support structure is insufficient. As of 13 September 2024, the ombudsperson is no longer part of the Contact Point.

3 Reports to the ombudsperson

3.1 Procedure of the ombudsperson regarding reports

For a list of definitions, see Annex 1.

The first step in the contact between the reporter and the ombudsperson takes the form of mail or telephone. A conversation usually takes place, either in person, online or by phone. In some cases, direct referral takes place. No further action is then required other than providing the (warm) transfer to another official or counter within or sometimes outside the WUR. Every report is registered (name, function, Sciences Group or service, nature of the report). There were no anonymous reports of the type where no name of a reporter is known at all.

During the personal interview, the ombudsperson decides on follow-up action in most cases in consultation with and with the consent of the reporter. When there is an issue that appears to be structural in nature and when the issue appears to have a certain seriousness or scope, the follow-up action consists of approaching other informants, supplying written information by the reporter or by third parties, making contact with officials within a Sciences Group or service. This is not a formal investigation, but an exploration (or: orientation) of the report. The reporter is kept informed of developments in the case. The number of conversations held with a reporter ranges between one and six contact moments. The ombudsperson then decides on intervention: advice to the reporter or to the faculty or department, mediation or investigation. For the duration of the intervention, the ombudsperson maintains contact with all those involved in the case.

3.2 Number of reports in 2023

The penultimate report covered the period from the start in September 2021 to November 2022. In the future, it will be more convenient to produce annual reports by calendar year.

The reporting is based on reports in calendar year 2023. In addition, a summary of reports from 1 November 2022 to 1 January 2023 is given. For a complete picture, an overview of the number of reports 2021, 2022 and 2023 is given. The annual report for the year 2024 will be prepared by the successor of the current ombudsperson.

- In 2023, **67** reports were made and there were **86** reporters
- In the last months of 2022 (November and December 2023), **12** reports were made and there were **13** reporters.

A report may involve more than one reporter; therefore, the number of reporters is higher than the number of reports. There were **43** cases in 2023¹: issues where ombudsperson intervention was appropriate. There were **7 cases** in the last months of 2022.

3.3 Reports in 2021, 2022 and 2023

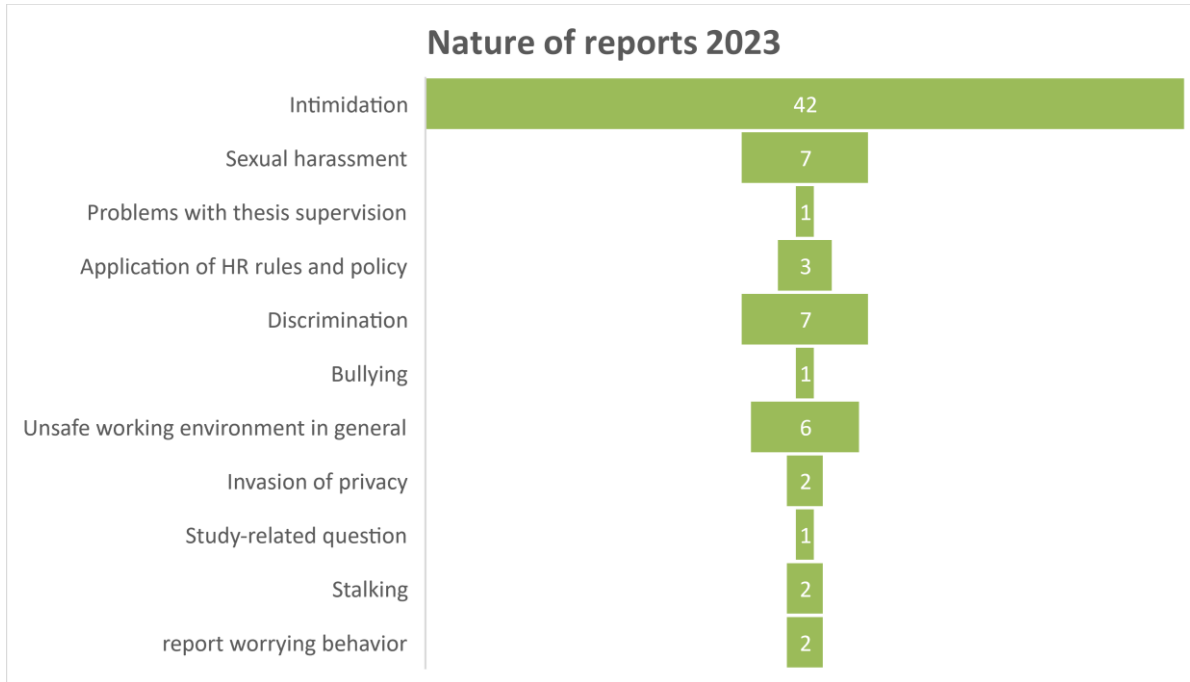
Year	Number of reports	Number of reporters
2021 (as of September)	11	27
2022	57	79
2023	67	68

¹ See also: the definitions in the annex. A report where personal advice or a referral is sufficient is not a case. These reports are usually closed after a single contact.

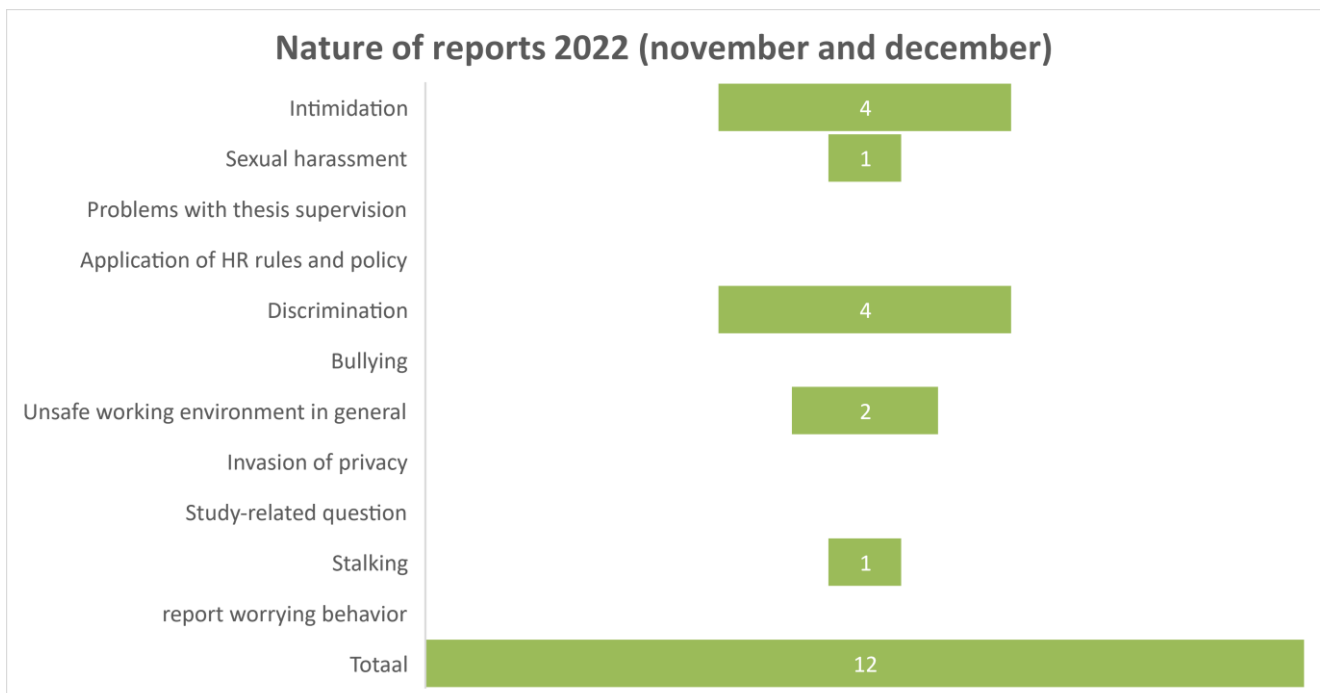
3.4 Nature of reports in 2023

Sometimes there is more than one problem in a report. This explains that the total number of notifications in this table is larger than the number of reports.

2023 (67)

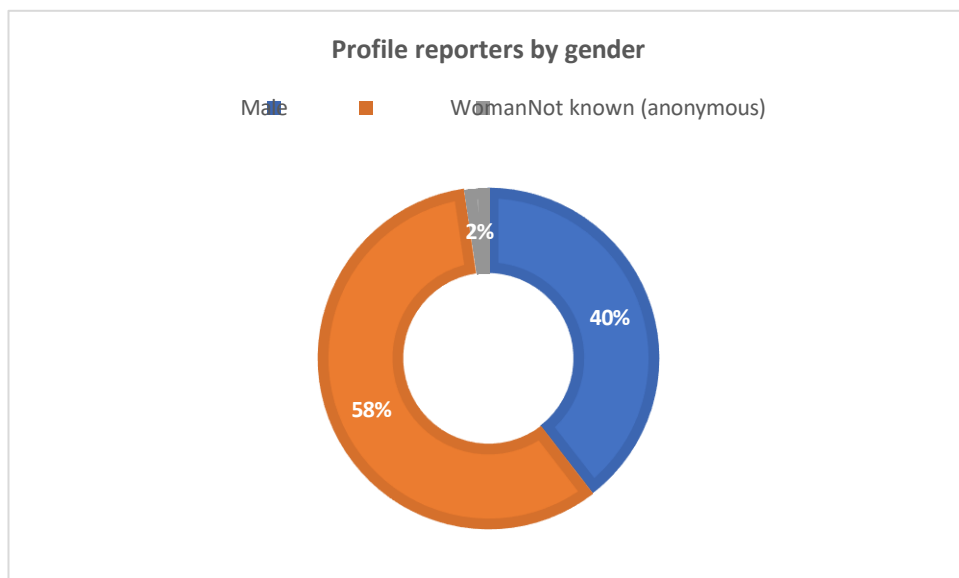
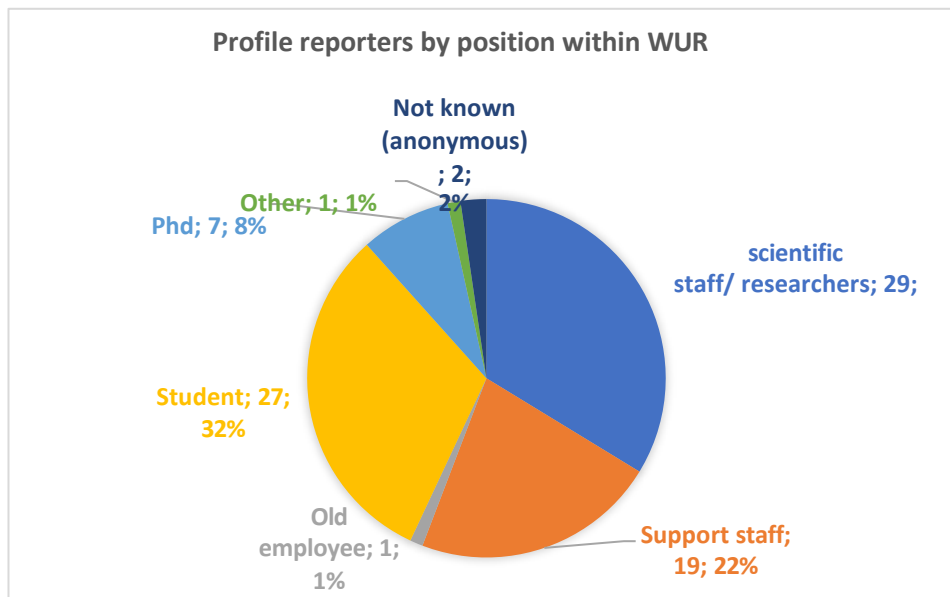


November/December 2022 (12)



Most reports are about harassment, followed by sexual harassment and discrimination and 'unsafe working environment in general'. A notable number of reports in the last two months of 2022 concern labour law issues or labour disputes. A new category is 'stalking'. There were three cases of stalking at the end of 2022 and 2023.

3.5 Profile of reporters (86)

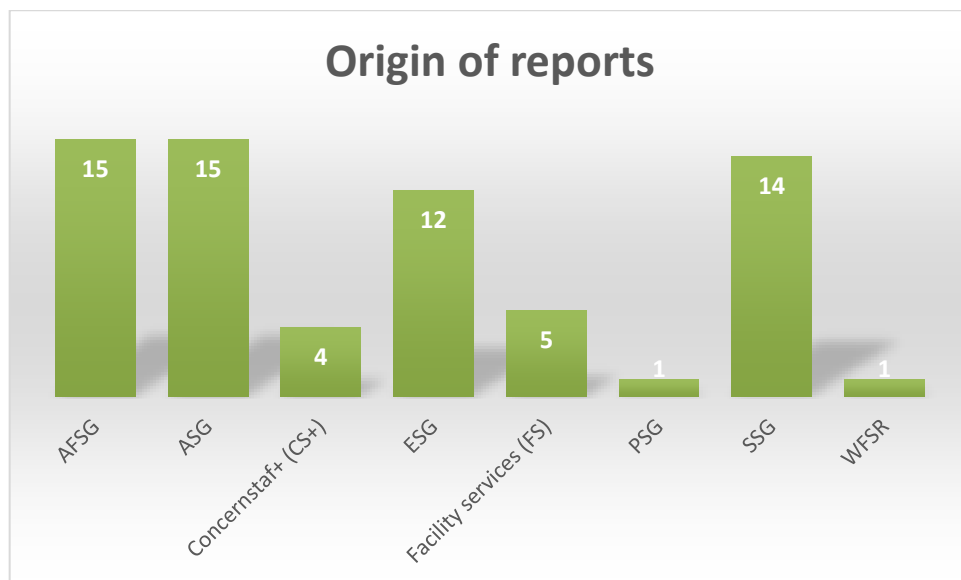


(No non-binary persons have come forward)

Almost half of the reporters belong to the group of academic staff (WP and PhD together). 32% of the reporters are students. The percentage of reporters who are students is increasing (in the previous report it was 16%). The majority of reporters are women.

3.6 Organisational unit covered by the reports (67)

The reports were assigned to a Sciences Group or service to which the report related. In 57 cases, the reporter (or reporters) was involved himself and in 10 cases, the reporter made the report in the role of bystander.

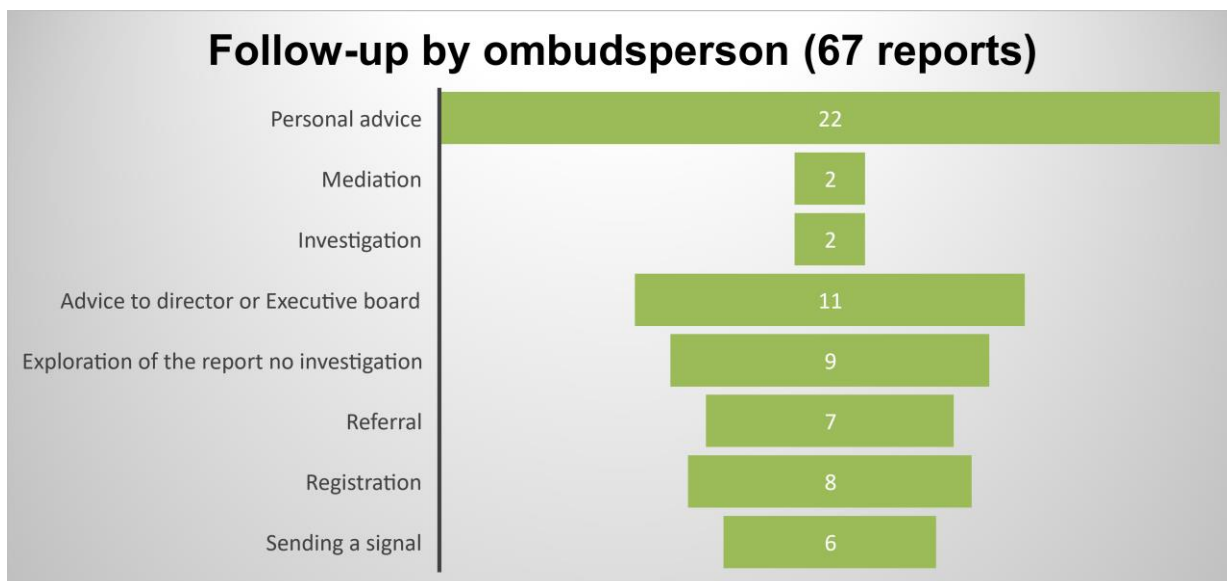


3.7 Follow-up

What actions has the ombudsperson taken to resolve the problem being reported?

2023

Follow-up by ombudsperson (67 reports)



Three reports involved anonymity. One of the reports was of such a serious nature that confidential contact with confidants took place. The report was not followed up after consultation with confidential counsellors. The other report was not followed up and is not included in this overview.

2022

The last two months of 2022:

Follow-up	Number
Personal advice	4
Mediation	1
Management board advice	3
Exploration	1
Registration	1
Attempted to get in touch with reporter in case of anonymous reporting.	1

3.8 Clarity of figures

- As in the previous reporting period, the majority of reports relate to structural patterns of social insecurity or other abuses experienced by the reporter(s).
- Harassment is the most frequent subject of the report. In most cases, the supervisor is the one who -in the eyes of the reporter- displays intimidating behaviour. In reports about an unsafe working environment, in most cases the supervisor is identified as causing social insecurity.
- In the last months of 2022 and in 2023, three anonymous reports were received by the social safety contact point, two of which were taken up by the ombudsperson. Anonymous reporting to the contact point is possible because reporters can use a contact form where there is the option of not leaving contact details. One of the anonymous reports had been sent via an untraceable email address. In these cases, the reporter is not known, but email traffic is possible with the reporter. In this case, we tried to get in touch with the reporter, but were unsuccessful. There was no follow-up to the report itself. This report was of such a serious nature that the ombudsperson inquired about the signals with confidential counsellors and company social work to rule out that serious wrongdoing had not been missed. The confidential counsellors and the company social work were not aware of any signals regarding the situation reported. The report was subsequently closed.
- The number of reports related to employment law problems, application of HR policies and regulations and labour disputes decreased in 2023 compared to the number of reports in the previous reporting period. The number of reports on this topic remains limited. This is good news: employment law issues and labour conflicts seem to be generally resolved down the line, so ombudsperson interference is not often necessary. This does not alter the fact that in a small number of cases, referral back to HR proved impossible because the reporting party did not perceive HR as safe enough to raise the issue there.
- In the last months of 2022 and in 2023, three stalking cases occurred and two reports were made regarding worrying behaviour. Although the numbers are obviously not large, this is noteworthy. These stalking cases had a major impact on the social safety of some seven staff members and one student. In one of the reports around behaviour of concern, an employee was a victim of this behaviour. Handling stalking cases is intensive and time-consuming and a number of cases are still ongoing. Although experience shows that in a stalking case it is possible to get the right people together fairly quickly, there is no fixed handling protocol for handling stalking cases within WUR.
- The proportion of students making a report is rising. More students know how to find the ombudsperson. Students also make frequent use of the social safety contact point.

3.9 Look ahead to 2024

In the first half of 2024 (up to 1 July 2024), there were 33 reports and 45 reporters. The 2024 annual report will be prepared by the successor to the current ombudsperson.

4 Observations and advice

4.1 Observations

Help structure for students

As in previous years, the ombudsperson hardly ever receives any reports from individual students about lack of proper help, insufficient quality of help, not being able to find the right channels or being 'crushed in the bureaucracy of the university', nor about experienced abuses with regard to exams and study guidance. These reports sometimes come in to the social safety contact point, but even there they remain limited. Wageningen students are surrounded by student advisers, study counsellors and student psychologists who are involved in the relevant discipline, know the students and are therefore easily accessible for information, advice and help. This creates a comprehensive network around the student. This can be taken as a great compliment and WUR distinguishes itself from other universities in this respect.

PhD students

The share of PhD students in the total number of reports remains roughly the same compared to the previous reporting period. Yet there seems to be a turnaround; PhD students are increasingly willing to step out of anonymity. They do not just leave it at a report and register the report -as was often the case before- but are willing to take action. Reports were also made through PhD advisers. This is a cautiously positive sign. After all, the penultimate report stated that reporters did not want action to be taken -for fear of repercussions- on the basis of their report.

Care for 'accused'

Reports about behaviour and actions always trigger emotions in the person directly involved (the accused). Certainly an investigation into actions is a drastic event: can someone else pass judgment on me just like that? What does the outcome mean for my position? Both the handbook on complex casuistry and the code of conduct discuss the position of the accused. Transparency about the content of the reports and the possible investigation process, hearing both sides of the argument and care and aftercare for the accused are central to this. In 'the heat of the moment', the position of the accused can quickly become compromised and this certainly happened on occasion in the cases that came before the ombudsperson. The adjacent senior manager of the employee concerned, but also HR and the ombudsperson have a responsibility in this. A bottleneck in this is the lack of a confidentiality function for this group of employees, while it appears that there is a need among this group. In principle, the confidants within WUR do not assist employees who are accused. This has to do with maintaining trust towards victims. It also prevents situations in which confidants are, as it were, pitted against each other, in cases where both the reporter and the accused have called in a confidant. WUR has chosen that accusers can be assisted by the company social worker. In some cases, the coordinating confidential counsellor assumes this role. This is not a desirable situation: a company social worker does not offer the same as a confidential counsellor, nor is it desirable for all accused employees to go to the coordinating confidential counsellor. One idea is to designate one of the confidants for this group or to use a permanent external confidant.

Leadership

The October 2021-November 2022 ombudsperson report made recommendations on leadership. One observation was that in situations where there is perceived social insecurity, there is often 'neglectful leadership', where managers, often out of inability, do not take their responsibility in the right way and do not provide enough structure, provide inspiration, recognise and engage people in their competences, deal with conflicts, literally be present.

On 28 September 2023, in the presence of the ombudsperson, a meeting was held with the heads of HR on this topic. The following questions were discussed:

Do you recognise this image about leadership?

- What do we as WUR have to do to deal with situations where good leadership is not guaranteed?

- What role will we as HR play in this?

In 2024, the leadership training offer will be expanded to include individual training courses and workshops. The introduction programme for new managers will be renewed, where social safety will be a theme. Finally, a new programme -Future Leader Development- will be developed aimed at potentials within WUR in order to better fill key positions.

Developing potential within WUR is desirable: it contributes to talent development, providing career opportunities and continuity of performance.

WUR may subsequently raise the following issues for discussion:

From generic to specific approach

As in previous years, leadership is a theme in a substantial number of reports. Reports obviously do not concern a broad group of executives. They concern a limited number of executives where there are problems. The trick is not to lapse into 'generic policy', but to address executives concerned and get them to reflect and develop in a non-committal way. A fleet review can be the basis for this: a qualitative analysis of leadership within the different Sciences Groups, looking at the role and potential of leaders within the overall development of the organisation: who is a potential leader? Who is among the organisation's firm values? Who is ready for an upward career step and who should step aside?

How executives (Directors, Chairholders, Business Unit Managers) are assessed

An evaluation can involve figures and factual data in addition to perception and experience to form an objectified picture of the manager's performance. These include the following key figures:

- Employee survey results
- Outcome 360-degree feedback
- Outflow figures
- Content of exit interviews
- Absenteeism/sickleave

(Discussion on) limiting the tenure of Chairholders

Within WUR, the position of Chairholder does not involve a specific term of office as is the case with Managing Directors of Sciences Groups. The Chairholder is - compared to similar officials in other universities - influential because of the decision-making power within BACs and financial responsibility (also when problems arise). The

Chairmanship is not a 'corvee' as it is sometimes disparagingly called in other universities. This form involves rotating chairmanship of a department, section or division, with the major disadvantage that the chair is too short to implement actual changes and often does not take far-reaching decisions because the chairholder later rejoins colleagues. However, the model chosen by WUR means that the tenure of chairholders can be very long, which is not always desirable in the light of necessary renewal within the Chair Group and/or where 'the expiry date' of the chairholder has passed.

Chairholder mobility

Taking a step aside is perceived by Chairholders as a step backwards. Demotion has a negative connotation: that of loss rather than renewal or change ('instauration' meaning renewal and re-establishment).

Solutions lie in terms of:

- Consistent assessment of requested leadership qualities of Chairholders on appointment through assessment in all cases.
- Remove any barriers to being appointed Personal Professor.
- In-depth evaluation after 2 years and after 4 years, with consequences.
- Intervention, mentoring and coaching for Chairholders.
- Strong(er) involvement and influence of HR in appointments.

Addressing behaviour of concern

A few incidents of behaviour of concern in the form of stalking occurred in the reporting year 2023 and were reported to the ombudsperson. Examples of behaviour of concern include

addiction, suicide and/or self-harm, delusion, obsession, radicalisation, polarisation, suspicion towards society, extreme ideology. These problems can lead to stalking, and (online) threats to staff and students.

Swift and adequate action could be taken: a stalking case ended up with the ombudsperson in these cases, after which a core group was spontaneously formed consisting of the safety coordinator, a legal advisor (for employment law and for the aspect of measures against employees or students), an HR adviser and the Chairholder concerned. In addition, some reports came in from students reporting problematic behaviour by fellow students (sometimes this took place in a residential complex). During the evaluation of one of the cases, it emerged that although the approach to the case ended well, it involved ad hoc action. This is a great thing; paper protocols do not solve problems, commitment and dedication of people do. Still, an uneasy feeling remains: are there cases that are completely missed, seen too late or underestimated?

Universities in the big cities (Amsterdam, Rotterdam) where the issue of worrisome behaviour takes on larger forms have set up expert teams around this topic. This is not necessary within WUR given the frequency with which this type of issue arises. One consideration is to set up a 'pop-up organisation' that becomes active as soon as something in this area occurs. One suggestion is to appoint a supervisor with the task:

- Makes a risk assessment: how serious is the situation?
- Can take action to restore security;
- Brings the right people together and coordinates this temporary team;
- Advises and liaises where necessary/necessary with internal persons (student psychologists, deans, company social work, general practitioners, company doctors) and external organisations (think police and neighbourhood police, Idealis, Centre for Sexual Violence, Pro persona).
- Takes control of the situation.

The employee monitor

In mid-November 2023, all employees were invited to participate in the employee monitor, this time with a different research agency IVA Education. Results became available in February 2024. Unfortunately, this time it was not possible to see results at the level of Chair Groups and departments within Business Units and the services. The reason for this is that in the discussion of the monitor in the previous edition, situations arose within teams, especially in the questions concerning social safety, that were precisely not helpful for social safety. This is understandable, but for the ombudsperson, insight into the perception of social safety at the lowest possible level in the organisation is very valuable. Not on the basis of results to take action but as a reference when reports are made. The ombudsperson was given access to the portal in the 2023 survey. However, the desired information is not available on this portal either.

Diversity and inclusion

WUR has a very diverse population of students and staff. The top of the organisation does not reflect this. The Gender + Equality plan 2024-2028 will hopefully change this. In 2022, 2022 and 2023 a diversity & inclusion week took place, it was decided to no longer concentrate the activities in one week, but to spread them over the whole year. This is an understandable choice, but the danger is also that diversity & inclusion will get snowed under in the multitude of other activities within WUR. Attention to the theme remains badly needed.

4.2 Advice

- 1) Strengthen the focus on accused persons in a report by:
 - a) Continue to bring the guide to complex casuistry and the provisions of the code of conduct on this subject to the attention of managers and HR;
 - b) Evaluate every (complex) case, including the topic 'process regarding the accused'.
- 2) Conduct discussion on leadership with as themes:
 - a) From generic to specific policies;

- b) Assessment of executives;
 - c) Position of Chairholders;
 - d) Chairholder mobility.
- 3) Provide a position of a confidential counsellor for employees who find themselves in the position of 'accused'. Designate a 'dedicated' counsellor for this group or organise this externally.
 - 4) Establish a facility that comes into action in cases of behaviour of concern. This facility can be thought of as a crisis organisation in which a limited number of persons/functions are designated and come into action when needed.
 - 5) Ensure that reports of employee investigations can be generated at the lowest possible level. Do - when this is undesirable- make these results available to a limited number of people, including the ombudsperson.
 - 6) Keep a focus on diversity and inclusion;

Annex: recommendations evaluation ombuds function and follow-up by WUR

Recommendations based on the ombudsperson study are:

- Adjust the appointment term of the ombudsperson from a term of two to three years with a one-time extension for the same term. This recommendation has been adopted and adjusted in the regulations.
- To consider having the position filled exclusively by an external, i.e. not permanently employed, due to the importance independence of the ombudsperson. This recommendation was not adopted based on the importance of acquiring knowledge of the WUR organisation. A temporary ombudsperson will be appointed, so that independence (not fusing with the organisation) is guaranteed.
- The role and authority of the ombudsperson is closely linked to the independence and trust people have in the person and position. Given the tasks of the Supervisory Board, reporting directly to this body would fit the ombudsperson role perfectly. The reporting line to the Supervisory Board is already laid down in [WUR's governance code](#) and the [regulation ombudsperson WUR](#). In addition, the ombudsperson's reports are shared with the Supervisory Board and the ombudsperson meets once a year with a Supervisory Board delegation; this will be tightened in the ombudsperson regulation. Appointing the ombudsperson is a responsibility of the Executive Board, as the highest body in the WUR organisation, this does not fit with the Supervisory Board which supervises and therefore cannot be an actor in the organisation itself.
- Now that the ombudsperson as a function has been implemented within the WUR, the ombudsperson should further refrain from policy and/or operational tasks. The function of ombudsperson is one that from a helicopter view with an eye for the individual case, from an independent and authoritative position signals and advises on larger trends in the field of social safety. The role entails the Ombudsperson having to review and advise in retrospect in appropriate cases. This is not compatible with being actively involved in policy and/or executive tasks beforehand. Going forward, this recommendation is adopted. This means that while the ombudsperson's knowledge can be deployed by making this knowledge available in advance of the drafting of policy, and that the ombudsperson can give advice afterwards, he or she will not fulfil any policy-related or operational tasks, such as sitting on the social safety contact point team. The current policy-related tasks will be placed with HR, the current operational tasks with colleagues from the contact point.
- No mention of follow-up after investigation or unsolicited advice by Ombudsperson on any unsolicited advice from the Ombudsperson. The EB states that the regulations state in Article 8 about investigation on the Ombudsperson's own initiative that, among other things, Article 7 applies as far as possible. With regard to unsolicited advice, the Executive Board has the same working method to deal with this as with requested advice.
- Monitoring the implementation of any measures is not mentioned in the regulation. The ombudsperson will possibly do this from a felt responsibility, but for effective follow-up within a learning organisation, it is advisable to formulate at least one formal calibration moment. To this end, investigate the desirability, possible alternatives and deadlines. The EB states that the experience of the past two years shows that the ombudsperson maintains contact with the reporter and therefore has insight into the effect of the measures. This will be added to the regulation (Article 7, paragraph 8) by the ombudsperson six months after the Board has taken measures (Article 7, paragraphs 4 and 5).
on the basis of contact with the reporter and, where relevant, other parties involved, to assess the effect of the measures. The effect of measures is reported in the ombudsperson's annual report. If warranted, this follow-up by the ombudsperson may result in a report to the Executive Board and Supervisory Board.
- There are currently no guidelines or rules on who, what, when, how to talk to someone about whom a report has been made. This is perceived as a burden by all involved, and it involves weighing up who needs to be protected and when, and what carries the most weight in this. Explore whether there are opportunities to provide more guidance on this. Consider evaluating the process and considerations made with previous reporters and the person about whom a report was made.

and try to arrive at a reasonable code of conduct on that basis. In doing so, also seek to tie in with the existing complaints procedure and common practices there. The EB states that a protocol has been drawn up for the ABCDE group, which also provides tools for communication with reporter(s) and the person being reported. Proposal is to elaborate this protocol also for managers outside ABCDE and HR.

- People experience many desks for a wide variety of problems, making it difficult for staff to see the wood for the trees. Although the mutual referrals by the help lines are reasonably well organised when someone is not at the right address with a problem, the staff member is often looking for information first and prefers to be directly at the right window. The recently established contact point seems to be a good step to streamline matters, but this is not immediately perceived as such by everyone in the help structure. Therefore, above all, ensure good information about which helplines are available, who staffs it, the degree of confidentiality and anonymity offered, etc. The researcher suggests considering the use of an external provider such as SpeakUp® instead of the contact point. The EB states that the contact point is a pilot that will be evaluated after 12 months (early 2024). Only if the evaluation of the contact point, in 2024, shows that it is not working well will an external provider be considered.
- Consider having all helplines report unambiguously with some mandatory data and with a set format and discuss the results in plenary. The EB argues that the nature of the various helplines is so different that the reports will remain so. But it is possible to draw up a fixed format on the more quantitative components and have this recur in every report. The programme manager for social safety (CHR) and the policy officer for integrity (CG&LS) are requested to draw up a format on 1 A-4 for the quantitative reporting from the various help lines, also taking into account the current reports, to become a fixed part of their annual reports.
- Finally, examine the possibilities of setting up, within the privacy frameworks and the possibilities offered within them, a periodic consultation for exchanging concerns and trends with those actively engaged in providing care in the context of social safety. The EB is thinking of setting up an expert group.
- The topic of social safety deserves more attention. Consider organising an annual social safety day, for example, with the presentation of annual reports by Confidential Advisors, Ombudsperson, Company Social Work. This would also provide an opportunity to once again draw attention to all helplines and also the Board's commitment and actions on this topic. The EB states that the subject of social safety has a lot of attention from 2022 onwards within WUR. Many actions have been initiated from the social safety programme:
 - A working group has been formed in the organisation to undertake various actions;
 - the social safety programme focuses on culture change, with activities for both students and staff (Mindlab, posters 'looking out for each other', lunch meetings, training sessions and workshops, etc);
 - the contact point is set up for the low-threshold reporting of various breaches of security and integrity, this is a 12-month pilot;
 - the aid structure has been made more transparent and capacity has been increased;
 - the Code of Conduct on Undesirable Behaviour and Code of Relationships at Work.This programme will be continued and upon completion (early 2024), it will be reviewed to see if and how it will be continued.

The evaluation report identifies several other issues, beyond the recommendations, that are valuable:

- There is overlap between the ombudsperson's area of work and other officials where the ombudsperson handles an individual report:
 - Inappropriate behaviour - overlap with confidants: the ombudsperson can take more action or intervention in this than the confidant
 - Legal status issues - overlap with HR: the ombudsperson is seen as more independent than HR in this regard
 - Mediation - overlap with BMW: in practice, there has been no misunderstanding between the role of BMW and the ombudsperson.

The above is reason to examine whether the role of confidential advisers can be expanded in case of a report of undesirable behaviour. The role of confidants is bound by a national code, it is being investigated whether there is room in this to broaden the role so that a

confidant can take action though. It needs to be seen what the consequences of this are and whether this is desirable at WUR. This will be taken up by the Regiegroep Integriteit en Sociale Veiligheid, which will involve the Social Safety Programme Manager. In addition, it is being examined how HR can be perceived as more secure by employees in the event of legal status issues. Consideration could be given to assigning an HR officer from another unit to assist the employee concerned.

- It is unclear whether the ombudsperson is involved in following up recommendations from investigations conducted by an external party. The EB states that if the ombudsperson has the investigation conducted by an external party, the external party reports its recommendations, thus stepping into the role of ombudsperson, as it were. The external party also reports to the ombudsperson to measure the effect of measures after six months. The above will be added to the ombudsperson regulations.
- It was suggested by interviewees that the ombudsperson's (commissioning) investigation is reported to the Executive Board and Supervisory Board at all times. The EB states that this can be filled in with regard to the board for conducting investigations into structural issues. Reporting to the Supervisory Board goes too far, as they supervise proper conduct of business and therefore should not become an actor in it themselves, unless the report concerns the Executive Board. Reporting to the relevant management board is, however, in order; the management board is the client. This will be added to the ombudsperson regulation.
- It was mentioned that the co-determination body wants to have a say in appointing the ombudsperson. The EB does not take this on board. The role of the employee participation in appointing people is limited to appointing directors, in accordance with the Works Councils Act. There is much to be said for this in relation to the strategic direction of an organisation (section) and its importance to the organisation. This is not the case with the ombudsperson. Nor is such a construction chosen for other officers within the organisation where independence is relevant (internal audit, data protection officer, WOT coordinator), whereby co-determination shifts to the role of control.

The evaluation was discussed in COR and SC for agreement on the changes to the Ombudsperson regulation and will be discussed in Local Consultation, WMB and SB.

Annex: definitions on how ombudsperson works

Notification

A notification is an incoming communication (notification) about an event, observed observation or observed fact. A notification can be made in writing or orally, by mail, app or phone. Sometimes the report has the character of an (advice) question: 'this situation is going on, what is the best thing to do now?' A report to the ombudsperson always leads to registration². Depending on the nature of the report, further action follows, e.g. referral, a follow-up interview, advice or investigation.

Notifier

The person who contacts the ombudsperson and makes a report of an event. The reporter may himself be a main person involved ('victim') but may also have the role of bystander: a person who observes the situation but is not directly involved in the situation. Bystanders are often fellow students, colleagues, professionals in the role of supervisor/helper or managers.

Case study

A report to the ombudsperson can develop into a case: an issue involving a dilemma or a problem that is difficult for the reporter to solve. A case exists when intervention (such as mediation or advice) by the ombudsperson is in order. Many reports lead to a conversation by telephone or contact via e-mail with the ombudsperson, after which the reporter can continue on his/her own or is referred by means of 'warm transfer' (with information transfer to the other service provider or office and with such effort that the relationship between reporter and the other party is actually established). Referral or simple personal advice does not constitute a case. Case *management* is important: fulfilling a process-directing and monitoring role so that the coherence and progress of the overall process is guaranteed. The ombudsperson directs the cases she deals with.

Anonymity

Anonymity here means the situation in which the identity of the reporter and/or of the person(s) to whom the report relates is known to the ombudsperson but not to others. In any subsequent steps, the identity of the reporter is kept secret.

A second type of anonymous report is one in which no details of the reporter are known to the ombudsperson. This type of report is not processed, but should it occur, it is registered.

Annex: definition of interventions by the ombudsperson

Clarification: personal advice

Personal advice to a reporter(s) sometimes takes place after one or two conversations. Often, to unravel the question and arrive at correct advice, it is necessary to have additional conversations: with other staff or students who can tell more about the issue, with advisers (e.g. legal advisers within WUR, a manager). This is always done with the consent of the reporter. These activities, although they can sometimes be intensive and time-consuming, are not classified under 'investigation' or 'mediation'.

Clarification: mediation

Mediation usually takes the form of *facilitative conversation coaching*: this is an informal form of support in conflict situations or stuck communication where both parties are present. The aim is to unravel a problem and arrive at solutions. Sometimes this counselling is the first step towards mediation. Sometimes there is 'shuttling' by the ombudsperson with persons from the organisation with clarifying questions, bringing parties together, asking for action from persons within WUR.

Comment: research

Investigation is the examination of facts and circumstances surrounding a report, but can also concern the culture within a department and the dynamics between employees, between employees and manager, with the aim of clarifying the problem at hand and aimed at finding solutions and improvements. Ideally, the manager or management board of an organisational unit is the client in the investigation, which is often carried out by an external specialised research agency. The client involves the ombudsperson in the questioning in the investigation, the choice of the investigation agency, the working method in the investigation and the follow-up of advice. This is only possible if the ombudsperson has sufficient confidence in the commissioning authority of the management board of an organisational unit. This depends on the extent to which the problem is recognised and acknowledged and there is sufficient motivation to achieve a solution or improvement. The ombudsperson can also conduct investigations himself or act as a principal. This has not yet occurred. An investigation is always preceded by an exploration of the report. The ombudsperson talks to a number of people (ranging from two to 12 people) who can tell more about the situation the report is about.

Notes: reconnaissance without research

In a number of cases, there is exploration of the report but no follow-up by investigation. Often, personal advice and (more often) advice to the management board of the organisational unit concerned suffice.

Registration

In some cases, the reporter wants to achieve that the story is heard and recorded somewhere. No further action takes place.

Referral

The majority of cases involve referral to a confidential counsellor and, in some cases, to company social work.

² Records include: full name, contact details, gender, target group (student/old student, employee/old employee OBP, employee/old employee WP, PhD or other, Sciences Group or service, position, involvement, nature of report.