





# **THE IMPORTANCE OF OMBUDS WORK**



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Paul Herfs

## **Colofon**

**The importance of ombuds work, Paul Herfs**

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<sup>1</sup> The terms of ombud, ombuds, ombudsperson, ombudsman all have the same meaning





## Preface by Rob Behrens

In this gem of a book, Paul Herfs sets out his distilled wisdom of nearly half a century in higher education to explain, critique, and advocate for the role of university Ombuds in a changing, hierarchical and imperfect world. With clarity and precision, and combining respect for the evidence-base with unique insight into the challenges and ambiguities facing Ombuds of all types, Herfs locates Ombuds as ‘fairness agents in higher education’ providing public value by the application of key competences and core values to student and staff detriments.

Each chapter draws on Herfs’s personal experience and leadership as the university Ombuds idea has slowly grown in The Netherlands. And this experience is enriched by his long-standing interest and research in comparative, international, approaches to Ombuds institution building enabling him to drive debate and change by pointing to good practice and innovation across the world.

What makes the book essential reading is his clear illustration of the utility of the Ombuds role combined with wise counsel about the realities of effective practice. So, despite growing stakeholder awareness of the role, he warns about what are still weak and overlapping Ombuds mandates in universities, ‘transgressive behaviour’ and those who still see Ombuds as ‘counterforces’ or even ‘a louse in the fur’ within them.

Each chapter sets out examples of how Herfs has used his skills and experience to drive the Ombuds institution forward by (for example) developing the opportunities for Ombuds professional development (the Masterclass for Dutch Ombudspersons is a key annual event in the calendar) documenting the sub-optimal way universities manage doctoral candidates and (using comparative research) setting out how it could be done better, and defining the competences, skills and ambiguities inherent in successful practice.

The Ombuds world has been fortunate to have Herfs as a much-admired and respected colleague for a generation. This book is a testimony to his immense contribution.

Rob Behrens,  
Manchester, United Kingdom, December 2023.

## Preface by Reinier van Zutphen

The author of this book, dr. Paul Herfs, has written a number of important articles about the work of an ombudsman with the emphasis on the role of ombuds work in higher education organizations. As National ombudsman of the Netherlands I am using his insights with great enthusiasm. The works of an ombudsman in the field of education is demanding and also rather often differing from the problems I come across as national ombudsman dealing with complaints of more ordinary governmental bodies such as municipalities, provinces and national organizations tasked with executing of general policies set by ministers and other political bodies. The works of dr. Herfs show that the general approach that is common to all ombuds functions also works in the field of education. Not only for students but also for PhD candidates, young doctors in training to become medical specialists and the managers/directors of universities and related organizations. As general ombudsman for most of the universities in the Netherlands that are considered to be state-controlled, I take advantage of the works of Paul Herfs in my daily practice. Herfs shows in his writings the importance of impartial and independent complaints handling. Such for the benefit of the complainants as well as for the organizations and their executives that are complained about. It is with pleasure that I see how the general principles of the ombuds approach -listen carefully, find the source of the complainants griefs and be respectful- are applied in the articles bundled in this book. I hope that not only ombuds-colleagues in the field of education are open to the lessons learned described in this book, but that many general ombuds-professionals will take advantage of the compiled knowledge that Herfs brings together in this also highly personal work. I seriously recommend reading of it to all ombudspersons in whatever part of society they are active. It will help to restore broken ties between individuals and the organizations they are part of are independent of. All for the better of the societies we live in and for.

Reinier van Zutphen  
National ombudsman  
The Netherlands

## Introduction

In 2014, together with my esteemed colleague, Sytske Teppema, I wrote a handbook for ombudspersons for staff and faculty<sup>2</sup>. It grew quite organically during the process of introduction into her work as an ombudsman. Since 2011 I was seconded from Utrecht University (a research university) to the *Hogeschool Utrecht*, a university of applied sciences. I was the part time ombudsman while Sytske Teppema was the vice ombudsman; also, with a part time appointment. She started what was a new role for her in 2012. We had weekly meetings and during these meetings we discussed the wide variety of topics we dealt with in our work as ombuds. Being very precise, Sytske Teppema took copious notes. Then one day the idea of publishing all these important notes was suggested. This resulted in the first handbook for ombudspersons at Dutch universities. As the position of university ombuds was quite new in that time very little was known about the work of an ombuds in higher education. This handbook was very helpful, even for those ombuds who were already in office.

In 2021 Lies Poesiat, ombudsman at the *Vrije Universiteit Amsterdam*, wrote a book<sup>3</sup> about Ombudsing. Her book was based on her experiences as an ombuds for students and staff. One year later this book was translated in English<sup>4</sup>. It was published at a time in which all universities in the Netherlands had to appoint ombudspersons for staff and faculty because of central labour agreements. This book supported ombudspersons during their start in a rather new and unknown function. Both Poesiat's books and the handbook Teppema and I wrote were the only books in the Netherlands available for starting ombudspersons working in higher education institutes.

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2 Sytske Teppema en Paul Herfs (2014): *Handboek Ombudsman Personeel Hoger Onderwijs*. Brave New Books.

3 Lies Poesiat (2021): *Ombudswerk in het Hoger Onderwijs; een praktische wegwijzer*. VU University Press.

4 Lies Poesiat (2022): *Ombudswerk in Higher Education; a practical guide*. VU University Press.

Since I started in 2005 as an ombuds at Utrecht University in the Netherlands I have always seen it as some kind of personal mission to write articles about the important work of ombuds. Of course, most of my articles appeared in Dutch journals like *Tijdschrift voor Klachtrecht*, *Th@ma Hoger Onderwijs*, *Science Guide* and *Tijdschrift voor Conflicthantering*. Through my contacts with international colleagues in the European Network of Ombuds in Higher Education (ENOHE) I saw possibilities to offer publications to the Journal of the California Caucus of College and University Ombuds. Some of my publications were published as ENOHE Occasional Papers. My last paper about the important role of ombuds in diminishing drop out among PhDs was published in the Journal of the International Ombudsman Association.

This book has been compiled from previously published articles. Two articles were only published in Dutch journals. In all articles the important role of an organizational ombuds working at a university is underlined. The most common target of ombuds working in higher education is students. As I worked for nearly 20 years as an ombuds for staff and faculty at several Dutch universities I am convinced that ombuds will find useful information in this book, especially if they were to broaden their target groups to staff and faculty. Special attention is given to the exceptionally weak positions PhD-students have at universities all over the world. Ombuds can play important roles in supporting PhDs so as to reduce their vulnerability.

The first article was published in the journal of the California Caucus of College and University Ombuds. It was a plea for appointing ombuds for staff and faculty which is not at all usual in many countries.

The second article was both published as a California Caucus article and as an Occasional Paper of the European Network of Ombuds in Higher Education (ENOHE). In 2016 I made a study trip to Canada and visited several university ombuds from East to West Canada. On the basis of my interviews with Canadian colleagues I wrote an article in which I made a comparison between ombudsing in Canada and the Netherlands.

In 2018 I was one of the organizers of the first masterclass for ombuds in the Netherlands. It was partly based on the ideas I gathered from Nora Farrell (former ombuds at the former Ryerson University now Toronto Metropolitan University) in Toronto during my study trip to Canada. This article was published on the site of the International Ombudsman Institute.

The fourth article was published in a Dutch journal called *Tijdschrift voor Klachtrecht* in 2018. In this article I tried to clarify the roles and positions of three different officials who handle different kind of complaints at universities. These three officials are the Confidential Advisor for Undesirable Behaviour, the Confidential Advisor for Scientific Integrity and the Ombudsperson for Staff and Faculty.

In 2019 together with Jenna Brown (Denver University), Nora Farrell (former Ryerson University) and Ursula Meiser (Stuttgart University) I wrote an Occasional Paper for the European Network of Ombuds in Higher Education (ENOHE) about the important role of ombuds in guiding PhD students.

In 2020 I published preliminary results in the *Tijdschrift voor Klachtrecht* after the introduction as a pilot of three ombuds offices at three universities (Technical University Delft, Erasmus University Rotterdam and the University of Amsterdam).

In 2022 I published an article in the *Journal of the International Ombudsman Association* about the role of an ombuds in diminishing drop out among PhD students. It was based on my broad experiences in supporting PhD students when their progress was at risk.

As an annex I added an annual report (written before the Covid epidemic) as during the masterclass for ombudspersons we learned that there was a great need to see a model of an annual report. Although my function at Utrecht University was called 'confidential advisor for staff' it was identical to the description of an ombuds function. In 2021 all Dutch