

# Annual Report 2017

## Ombuds Officer for students

### *“Faculties in Focus”*



Universiteit  
Leiden  
The Netherlands

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# 1. Foreword

This report provides an overview of the nature of complaints submitted to Leiden University's ombuds officer and how they were dealt with in the year 2017. As in 2016, this year the annual report has been given a title. In 2016, the report emphasised the relatively large number of complaints submitted by international students, hence the title 'Evenveel klachten, more complaints'. This reporting year, I will specifically address complaints at each faculty and therefore the title 'Faculties in focus' has been selected.

In 2017, 139 complaints were submitted to the ombuds officer. In addition, 29 questions requiring a certain amount of processing were posed to the ombuds officer but were not recorded as complaints. In comparison with the figures for 2016 (125 complaints), the number of complaints submitted rose by 14. This represents an increase of almost 11%, which is significantly greater than the increase in the number of students, which was 4.5%. It is interesting to note that the number of complaints from international students has not continued to rise (2016: 43.2%; 2017: 42.4%). However in 2017, five more complaints were submitted by international students than in 2016.

In 2017, almost half the complaints were submitted by Bachelor students (49%), compared with 31% from Master students and 9% from pre-Master students. The remaining complaints were submitted by a range of other categories, such as prospective students, trainee teachers and exchange students. In 2016, the majority of complaints were submitted by Master students (41%). This year's distribution corresponds better with the percentages of Bachelor and Master students at the university, i.e. roughly two thirds Bachelor and one third Master.

In this report, I will also make particular reference to a formal investigation at the Faculty of Social Science, that was initiated in September 2016 and was the subject of a report submitted to the Executive Board in February 2017. The findings and recommendations arising from this report will be addressed in chapter 5.

In the final section of the report, chapter 6, the conclusions and recommendations arising from the complaints submitted to the ombuds office for students in 2017 will be summarised.

Leiden, March 2018

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## 2. Ombuds officer – General outlines

### 2.1 Legal foundation

Since April 1999, the University has had an ombuds officer for students, as well as regulations relating to the ombuds offer<sup>1</sup>, which describe the method of appointment, the target group that is granted the right to complaint, the procedures for submitting a complaint, the competences of the ombuds officer to conduct an investigation, and the annual reporting requirement to the Executive Board. The legal foundation for these regulations is article 7.59b of the Law on Higher Education and Scientific Research (Wet op het Hoger onderwijs en Wetenschappelijk onderzoek (WHW)).

### 2.2 Mission

The mission of the ombuds officer is to provide an accessible complaints facility for students, which in turn contributes to the sense of community amongst students and staff. This facility is intended to offer students the opportunity to approach an independent body, in the early stages of a disagreement, that can assess the reasonableness of a situation and offer opportunities for internal and confidential mediation.

### 2.3 Vision

The ombuds officer strives for a greater focus on student complaints within Leiden University and a safe and confidential environment, in which complaints can be discussed informally and with mutual respect. The ombuds officer believes that student complaints should be seen as an important source of information in terms of how processes, information, interaction and behaviour can be improved.

### 2.4 Core values of the ombuds officer

The core values of the ombuds officer's methodology are: confidentiality, neutrality and independence. These are the core values of all ombuds officers.



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<sup>1</sup> Regulations relating to the ombudsperson - adopted by the Executive Board, following approval by the University Council, on 29 April 1999 and most recently updated on 12 October 2010

### *Confidentiality*

... means that all complaints are dealt with in strict confidence. Contact will only be sought with other persons or bodies within the university with the express permission of the complainant. This guarantee of confidentiality also extends to the person or body that is the subject of the complaint. Annual reporting takes place in such a way that both the person who submits the complaint and the person who is the subject of the complaint cannot be identified.

### *Neutrality*

... means that the ombuds officer strives to find a fair and reasonable solution to a complaint without prejudice. The methodology of the ombuds officer is based upon listening to both sides of an argument. Even though the ombuds officer deals primarily with students, he/she acts for the general good of the university, not solely for the benefit of students.

### *Independence*

... means that the ombuds officer works independently and is not part of a university body, service or faculty. According to the regulations relating to the ombudsperson, the ombuds officer may not hold any other position at Leiden University.

## **2.5 Embedding of the ombuds officer within Leiden University**

Despite the core values of independence and neutrality, it is important that the ombuds officer remains in touch with the latest developments within the university. In line with the structural embedding of the ombuds officer's position within the Student and Educational Affairs Expertise Centre (SEA), the ombuds officer has regular meetings with the director of SEA and the deputy director of academic affairs. The ombuds office also has close contact with the (other) central confidential advisors - for personnel matters, unacceptable behaviour and academic integrity. This facilitates the quick, confidential and effective referral of complaints when required. Since 2016, a yearly joint discussion of the annual report has taken place with the Executive Board, during which mutual objectives are addressed. In 2017, the emphasis during this meeting was on improving information about complaint facilities.

Other important stakeholders in the work of the ombuds officer are the education portfolio holders within the faculty boards. At the end of August 2017, the ombuds officer presented his 2016 annual report during the Education Consultation Meeting (Onderwijsberaad) at which the portfolio holders were represented.

Since his appointment in 2015, the ombuds officer has worked towards the establishment of an effective network of contact people within Leiden University's various bodies, services, faculties and study programmes. Whilst dealing with complaints in 2017, the value of confidential and reliable communication channels with boards of examiners has become increasingly evident. In most cases, the ombuds officer

made contact via the official secretary of a study programme. In a small number of cases, direct contact was sought with the chairperson of a board of examiners.

Also with respect to the reporting year 2017, special mention must be made of the productive collaboration between the ombuds officer and the complaints coordinators at the faculties of Social Science and Humanities. I shall discuss this further in ‘Faculties in focus’ (chapter 4) and ‘Conclusions and recommendation’ (chapter 6).

Finally, another special mention, this time concerning the collaboration between the ombuds officer and the Diversity Office. In June 2017, the Diversity Office and ombuds officer gave a joint presentation at the European Parliament in Strasbourg, explaining how their roles strengthen each other in their work with students of Leiden University.

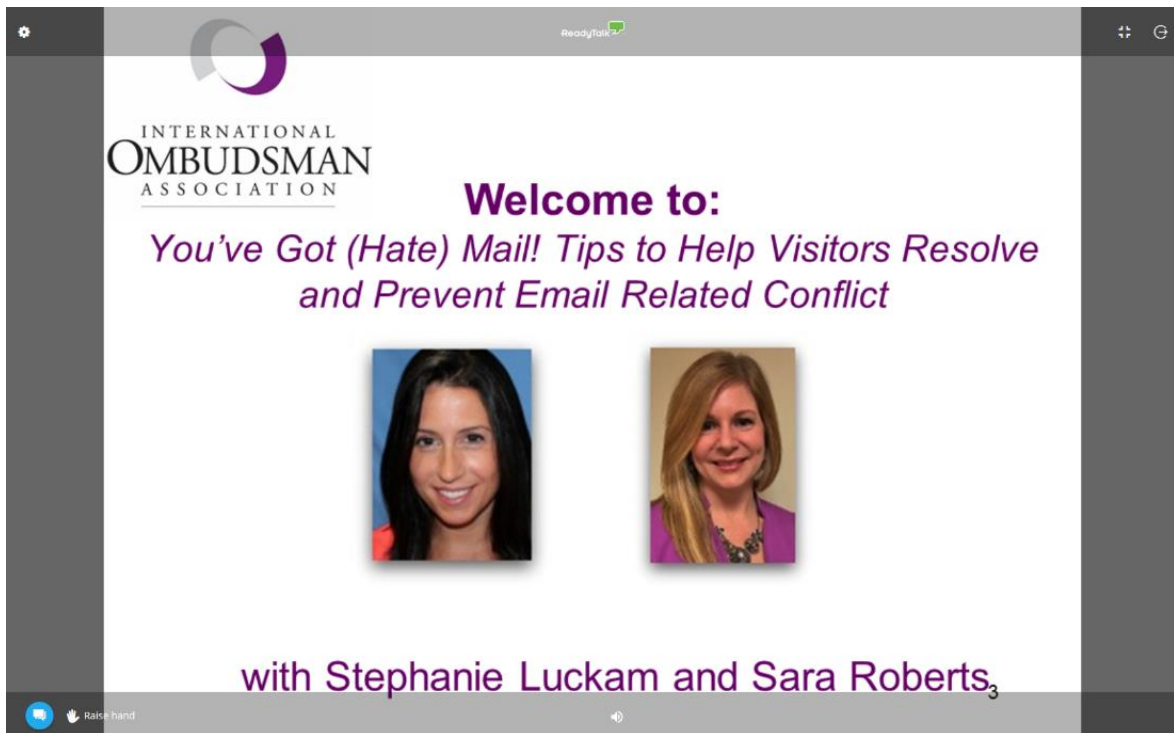


## **2.6 Professional organisations**

Leiden University’s ombuds officer is affiliated with the (national) Association for the Right to Complain (Vereniging van Klachtrecht – VvK) and the European Network of Ombudsmen in Higher Education (ENOHE). In 2017, the ombuds officer attended a VvK training day, as well as ‘interview’ sessions with both the Dutch Mediation Federation (Mediationfederatie Nederland – MfN) and the National Association of Confidential Advisors (Landelijke Vereniging van Vertrouwenspersonen - LVV).

In 2017, the ombuds officer again made use of the courses offered by the International Ombudsman Association, based in the United States. On 14 December 2017, the ombuds officer attended a

webinar entitled *You've Got (Hate) Mail*, given by Stephanie Luckam and Sarah Roberts, which discussed how to recognise aggression in email correspondence and avoid further escalation.



## 2.7 Conference of confidential advisors

In mid-2017, the ombuds officer organised a conference, in collaboration with the other central confidential advisors for unacceptable behaviour, personnel matters and academic integrity, that addressed the importance of a clear role division when it comes to dealing with confidential matters. This conference took place on 15 February. The finding and results will be discussed in my annual report for 2018.

### 3. Complaints

How many complaints were received in 2017 and how were these dealt with? These questions will be addressed in this chapter.

#### 3.1 Number of complaints

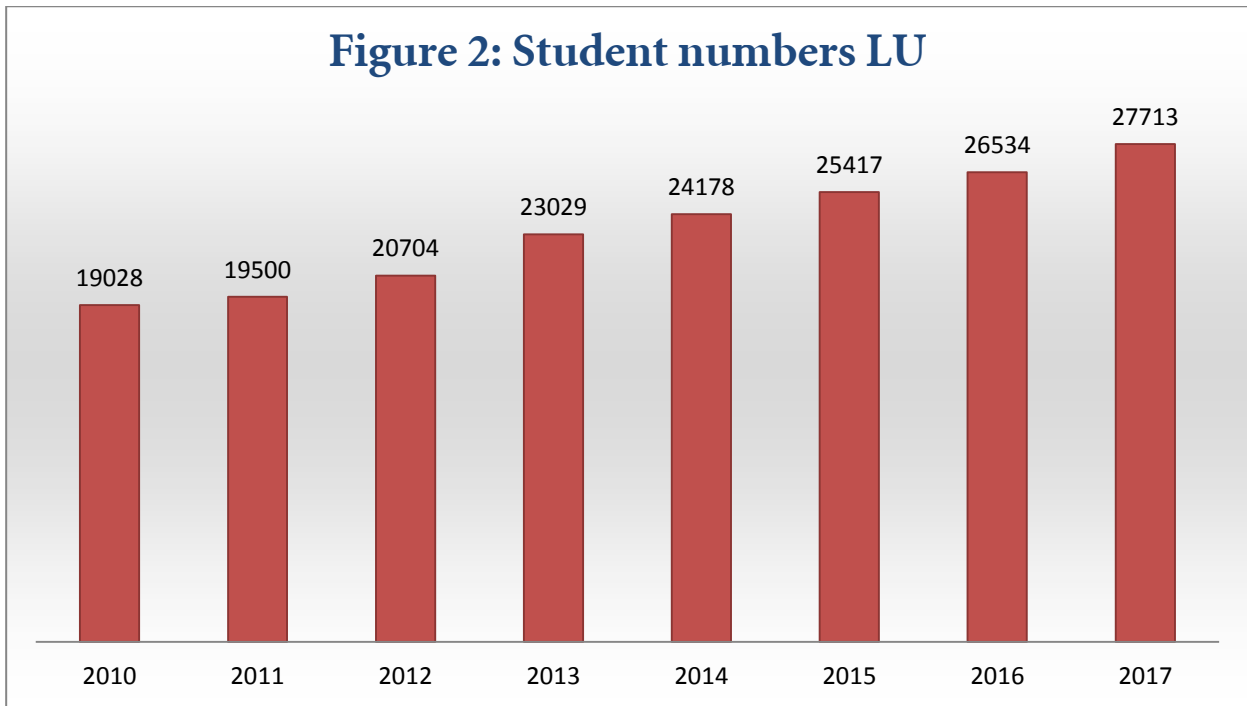
In 2017, 139 complaints were submitted to the ombuds officer for students. In addition, the ombuds officer registered a total of 29 questions. How does the ombuds officer determine what is a ‘complaint’ and what is a ‘question’? And how can a question be distinguished from, for example, a complaint that is not admissible or a complaint that the ombuds officer refers to another party, for example the Executive Board, if this is the most appropriate channel? In most cases, this can be determined by posing a number of control questions. These help to confirm whether a question is just a simple question, or if there are other hidden issues. In addition, what a student describes as a ‘complaint’ may turn out to be a ‘question’, if it becomes apparent that it contains no complaint-worthy facts.

The total of 139 complaints dealt with in 2017 represents an increase of 11% in relation to the year 2016. This is significantly greater than the increase in the number of students at Leiden University (4.5%). The increase can largely be attributed to a number of complaints about two pre-Master programmes (10 complaints), thesis supervision and assessment at Archaeology (6 complaints) and an almost doubling of complaints concerning the International Studies programme (18 complaints). I will discuss this further under ‘Faculties in focus’ (chapter 4).



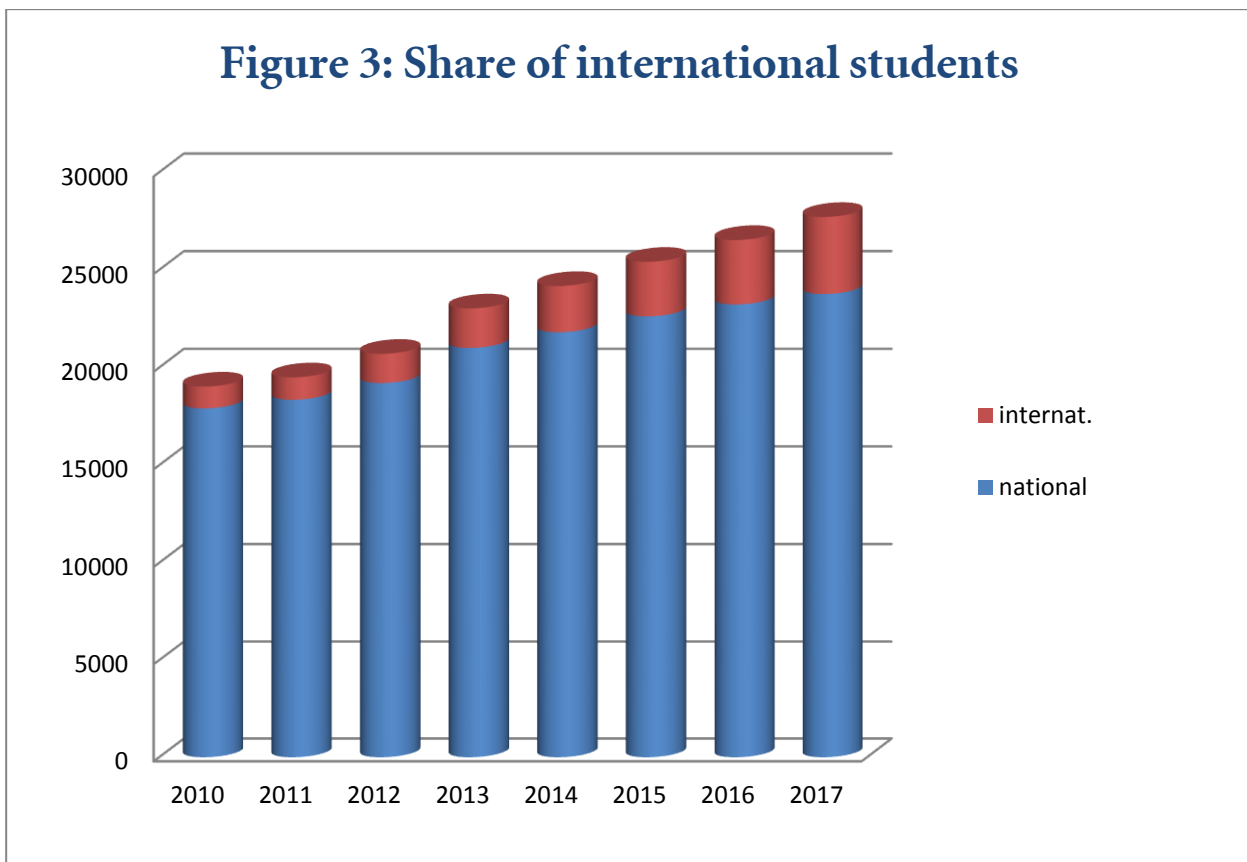


### Figure 2: Student numbers LU



The increase in the number of international students, 16.3%, has also contributed to the relatively large increase in complaints, given that this group still accounts for a large share of the total number of complaints (42.4% of complaints, compared with 14.2 % of the number of students).

### Figure 3: Share of international students



As of this reporting year, the ombuds officer has decided to divide complaints from international students into two groups, EEA students and non-EEA student. The number of complaints per nationality is also specified. This provides an interesting picture, particularly when compared to the ratio of EEA and non-EEA students in the total student population.

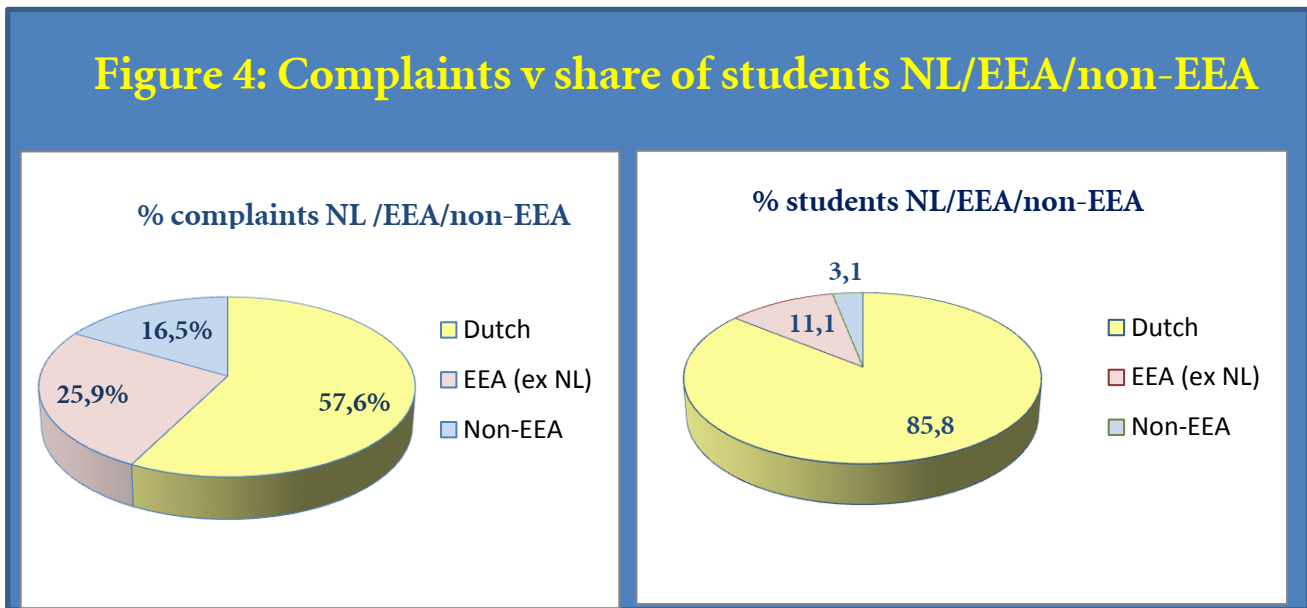


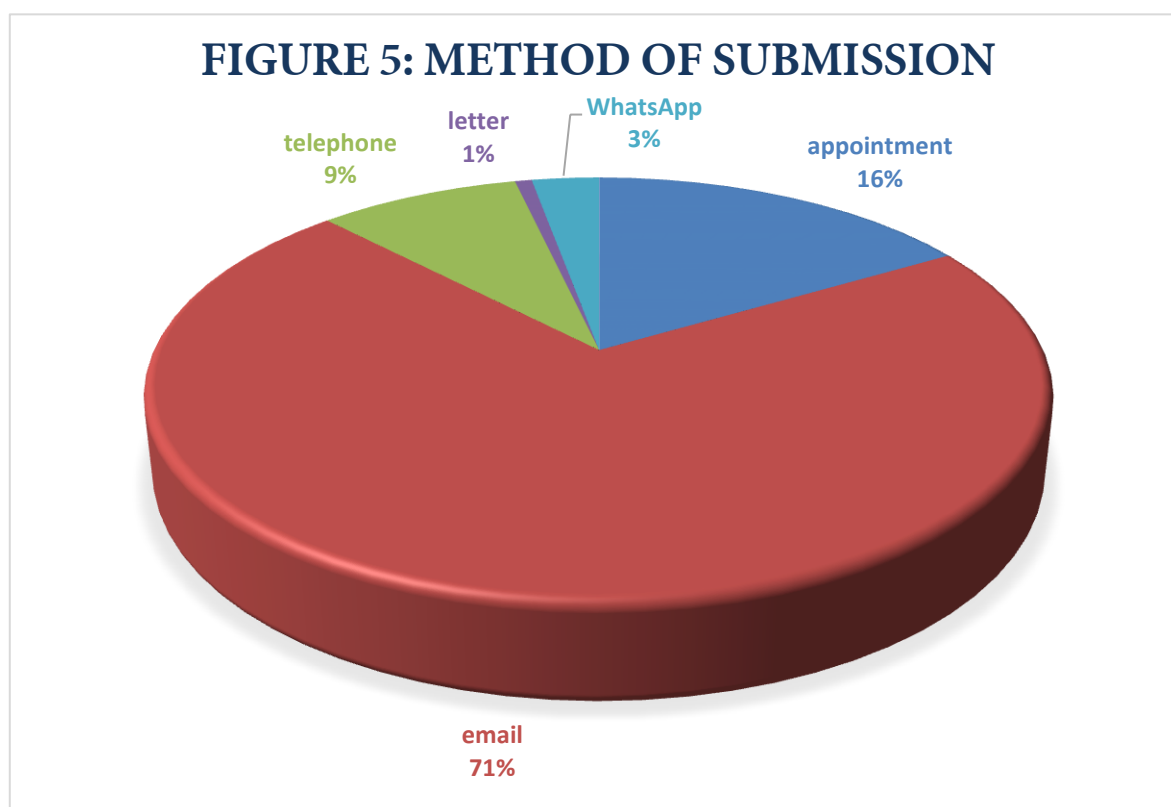
Figure 4 illustrates that fact that non-EEA students are relatively over represented; only 3.1% of the student population compared to 16.5% of the complaints (a ratio of 1 to 5.4). The ratio for EEA students is less striking (1 to 2.3).

Table 1: *nationality of students who submitted a complaint in 2017*

<b>EEA</b>		<b>#</b>	<b>non-EEA</b>		<b>#</b>
Bulgaria		1	Afghanistan		1
Great Britain		7	Brazil		2
Germany		7	China		4
Estonia		1	Egypt		1
France		2	India		2
Greece		3	Indonesia		3
Italy		3	Iran		1
Lithuania		1	Israel		1
Norway		2	Japan		1
Austria		1	Palestine		2
Poland		2	Puerto Rico		1
Romania		2	Russia		2
Spain		2	Turkey		1
Sweden		1	South Africa		1
<b>Total EEA (excl. NL)</b>		<b>36</b>	<b>Total non-EEA</b>		<b>23</b>
Netherlands		80			
<b>Total EEA</b>		<b>116</b>			

### 3.2 Method of submission

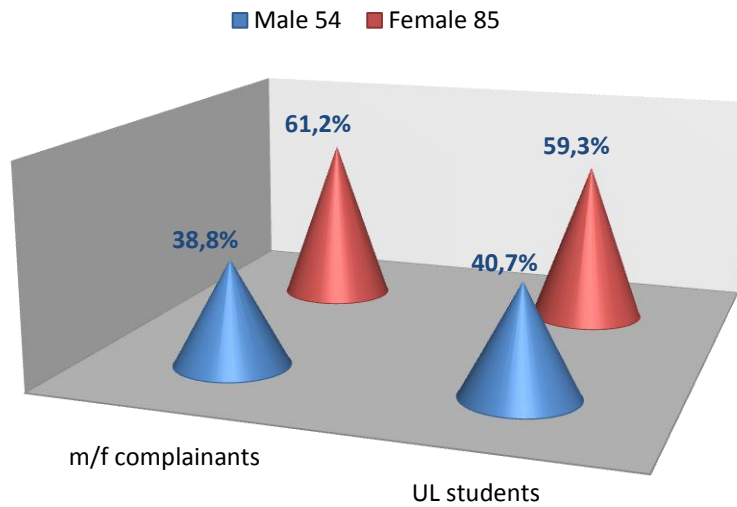
In the reporting year 2017, students were offered the option of contacting the ombuds officer by WhatsApp, as well as via the familiar methods of email, appointment via the secretary, phone call to the secretary and sending a letter. A special 'WhatsApp telephone' was procured for this service (not for phone calls). In 2017, a total of four complaints were initially submitted via WhatsApp. In addition, communication via WhatsApp took place with 11 other students who initially submitted their complaints via other methods (usually email – 71%). This communication generally consisted of messages concerning 'processes', for example 'I'm late for my appointment', 'when can I expect an email' and 'please send me a scan'. The obvious drawbacks of WhatsApp are the limitations in terms of sending attachments and the more laborious administration involve. Additional steps are required. For example, if a student wishes to provide detailed information about the complaint or send an attachment, he/she must send an email; and the ombuds officer is obliged to use WhatsApp Web to download correspondence onto a computer, then save it as a screenshot. On the basis of reporting year 2017, the ombuds officer has concluded that the addition of WhatsApp to the methods of submission has contributed to desired easy accessibility of the ombuds officer and has not resulted in an excessive rise in the number of contact moments with students. It has therefore been decided that this method of submission (and communication) will be continued.



### 3.3 Who submitted a complaint?

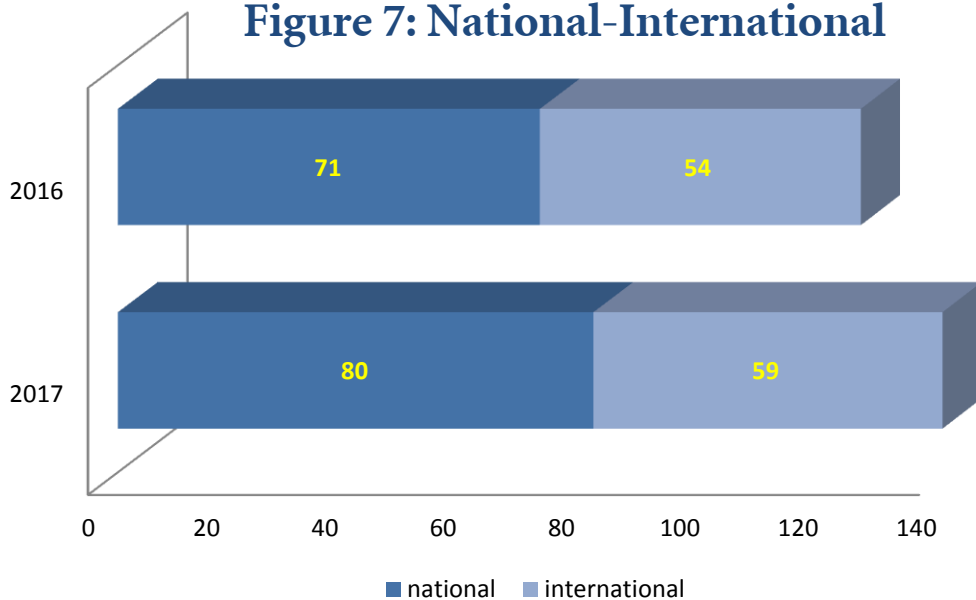
In 2017, 38.8 % of complaints were submitted by male students, as opposed to 46.4% in 2016. This corresponds quite closely with the male/female student ratio at Leiden University (male 40.7%, female 59.3%).

### Figure 6: Share of complaints m/f

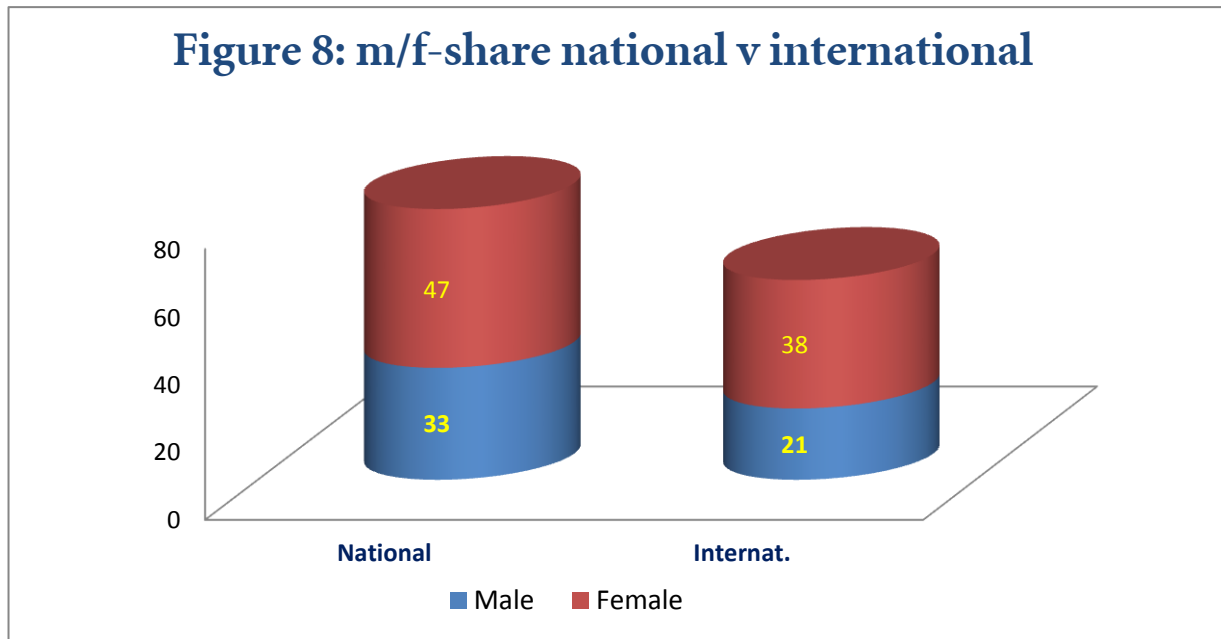


It can be noted that in 2017, the number of complaints from national students rose more sharply than the number of complaints from international students (12.7% national opposed to 9.3% international). This is in line with the relatively large share of Dutch Bachelor students in the total number of complaints.

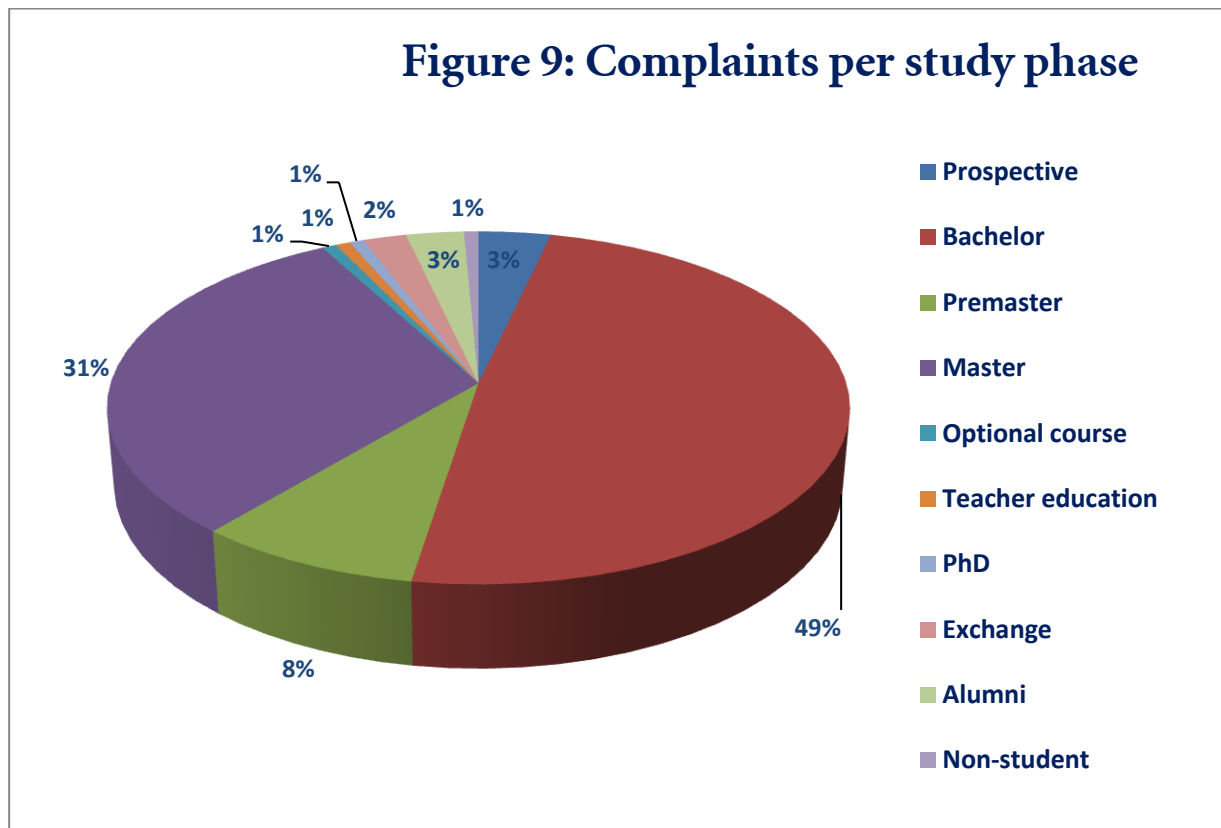
### Figure 7: National-International



As was the case in 2016, the male-female ratio is noteworthy in the international students category, in that the percentage of international female complainants was slightly higher than the percentage of national female complainants, i.e. 64% as oppose to 59% (figure 8).



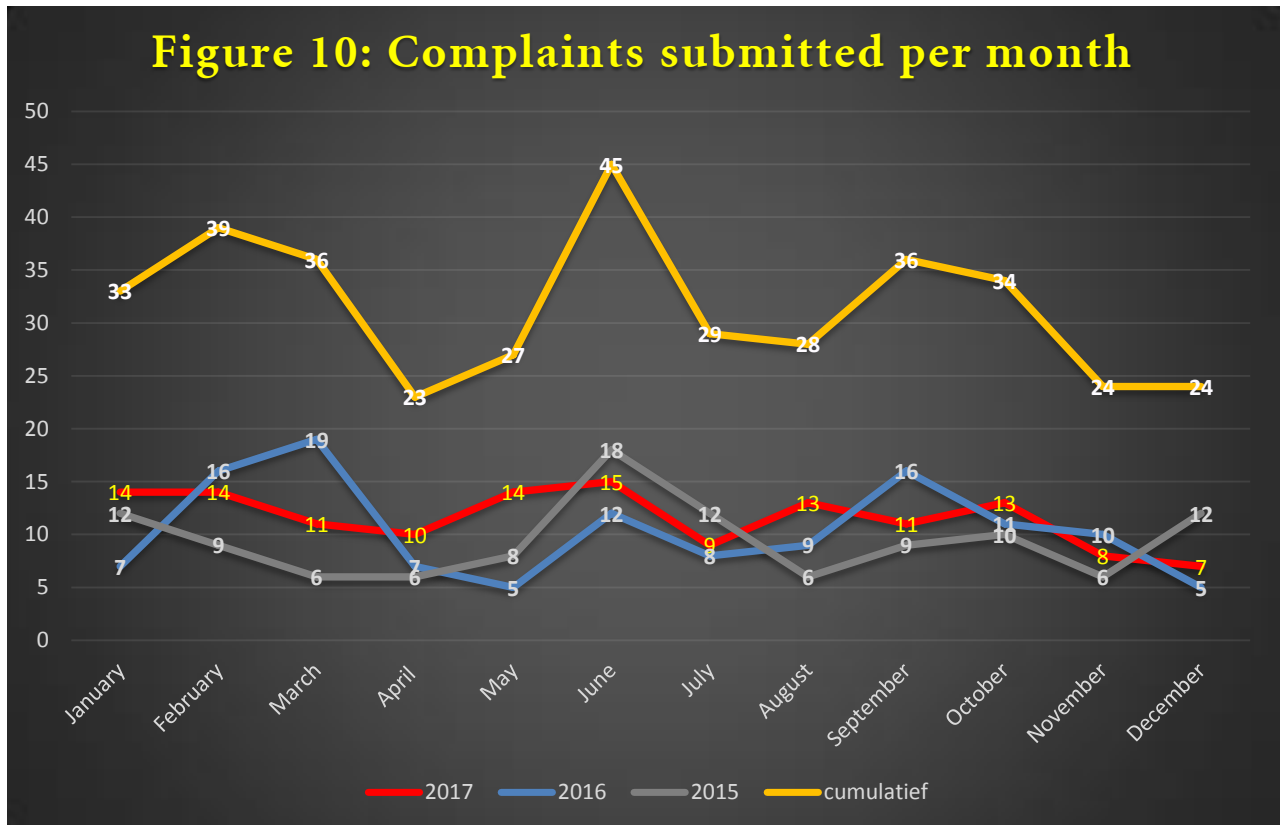
The breakdown of complaints submitted per study phase gives us the following picture.



As was noted in the introduction, this year, the distribution of complaints is more in line with the share of Bachelor and Master students at the university, especially when taking into consideration that pre-Master students are registered as Bachelor students.

### 3.4 When were complaints submitted?

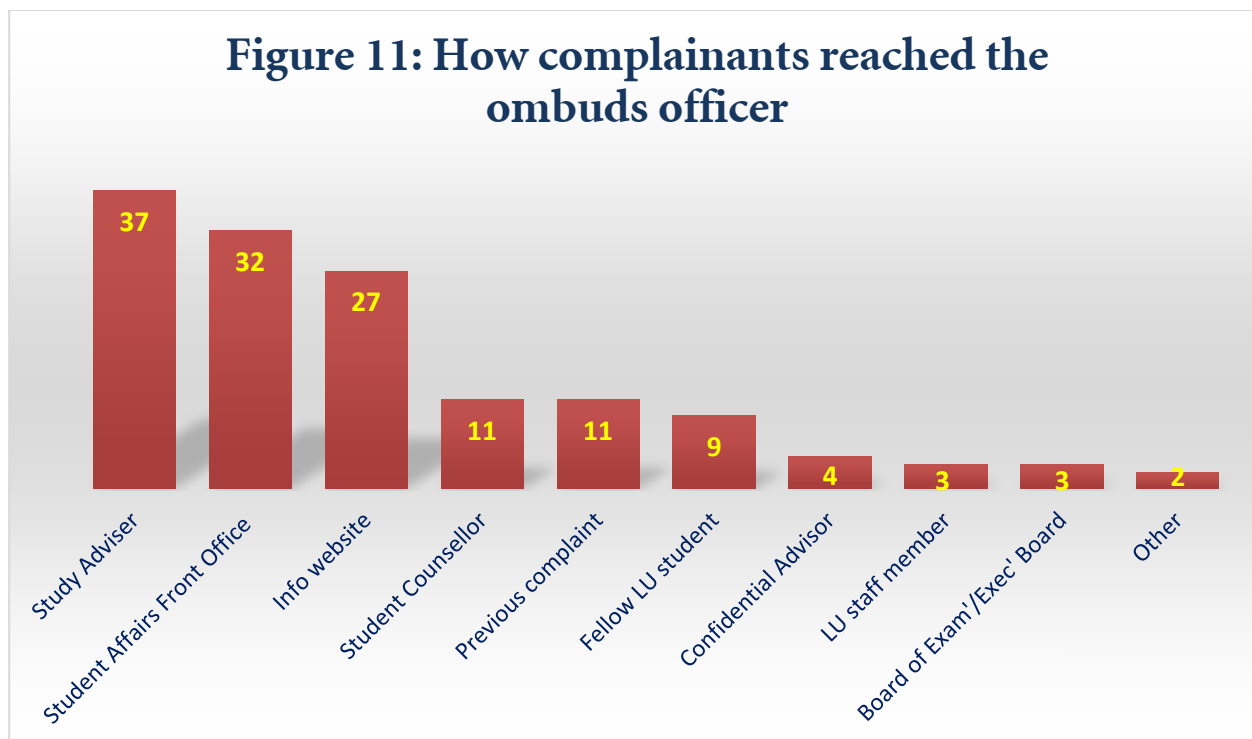
In an effort to identify a pattern in the number of complaints submitted each month, for the first time last year, the ombuds officer introduced a figure showing the complaints submitted per month in 2015 and 2016. This figure (10) has been further developed with the addition of both the monthly data for 2017 and cumulative data. Is it now possible to identify a pattern?



Despite the somewhat erratic distribution, it is possible to conclude that many complaints are submitted in the month of June. February also has a relatively high number of complaints. In terms of the ombuds officer's planning, these peaks can be taken into consideration by, for example, not planning any longer periods of absence in the months of February and June. Although the ombuds officer can be reached via the secretariat during his absence, it is preferable, certainly for more serious or urgent cases, that the complaint processing time is not excessively long. Given the independent and confidential nature of the position, a replacement staff member cannot be appointed during any periods of absence.

### 3.5 How did complaints reach the ombuds officer?

During the discussion of the 2016 annual report with the University Council, the wish was expressed to register how students came to contact the ombuds officer with their complaint. As a result, this question has become standard during the intake phase, which has resulted in the following data for the reporting year 2017.



The vast majority of complaints reached the ombuds officer via a referral by a study adviser or coordinator (37), closely followed by various central and faculty front offices (32) and information on the website (27). It is surprising to note the relatively large number of complaints that reached the ombuds officer as a result of an earlier complaint. This could concern a complaint in a previous reporting year. The ombuds officer also requested information on this matter during the intake phase.

The number of so-called ‘multiple complainants’ in 2017 was limited to one student who submitted three complaints and three students who submitted two complaints. This year, as opposed to in previous years, none of the multiple complainants could be classed as “problem complainants”<sup>2</sup>, that is to say, students who complained continuously and exhibited, for example, aggressive or manipulative behaviour.

Finally, in order to clarify the term “confidential adviser” in figure 11; this concerns referrals via one of the university’s central confidential advisers, i.e. for personnel matters, unacceptable behaviour and academic integrity.

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<sup>2</sup> See National Ombudsman “Het verhaal achter de klacht” (the story behind the complaint) by dr. Judith de Niet-Fitzgerald, December 2013

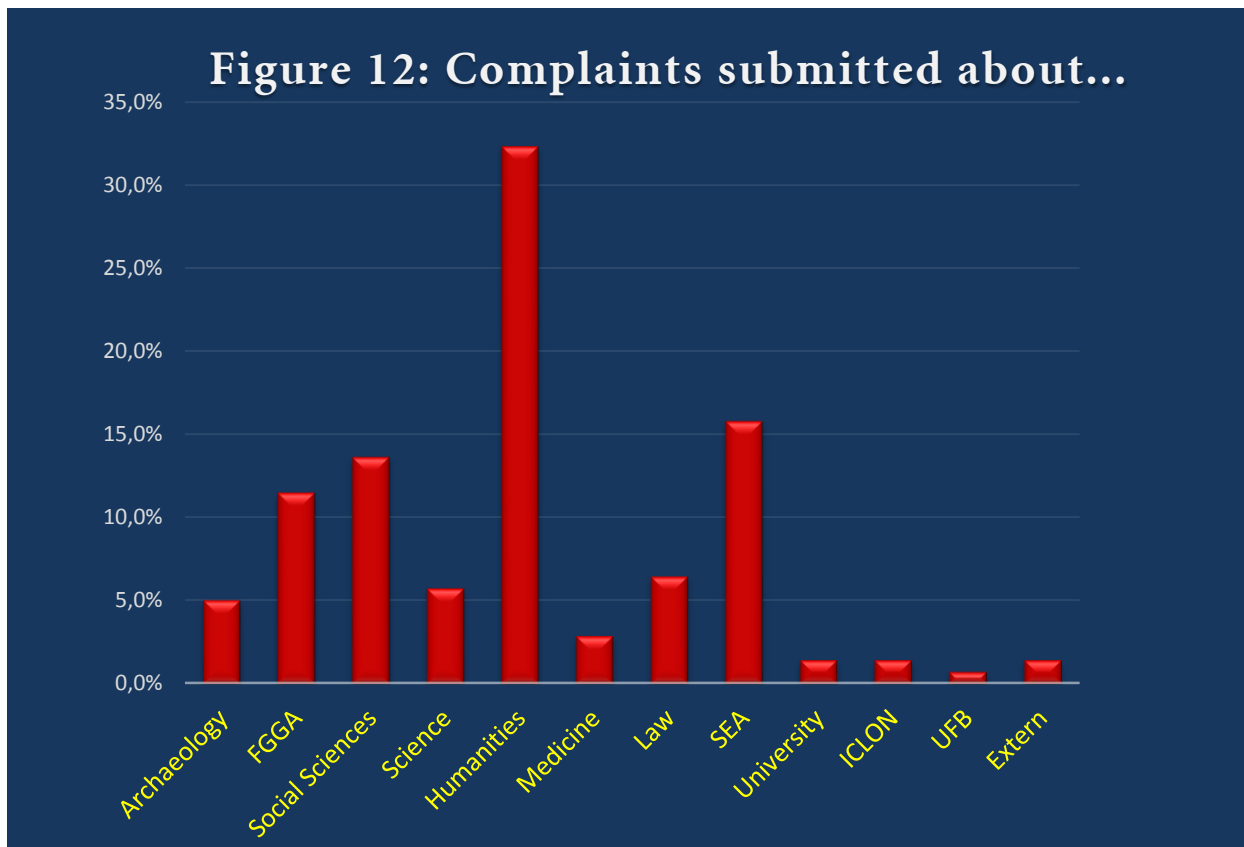
### 3.6 What and who were the complaints about?

Table 2 shows the affiliated faculty or division of the staff/department that was the subject of a complaint. It is interesting to note the distribution of complaints from faculty to faculty. The right-hand column shows the percentage of students registered at that faculty in 2017.

Table 2: *Affiliation of staff or departments that were the subject of a complaint in 2017.*

	<b>Number of complaints 2017</b>	<b>% of complaints 2017</b>	<b>% of students 2017</b>
<b>Faculty</b>			
Archaeology	7 (2016: 7)	6,5	1,6
Governance and Global Affairs	16 (2016: 10)	14,8	8,2
Humanities	45 (2016: 25)	41,7	26,3
Medicine/LUMC	4 (2016: 9)	3,7	9,6
Law	9 (2016: 10)	8,3	19,9
Social Sciences	19 (2016: 16)	17,6	19,9
Science	8 (2016: 10)	7,4	15,4
<i>Total faculty complaints</i>	<b>108 (2016: 87)</b>	100,0	100,0
<b>Other bodies</b>			
Student and Educational Affairs (SEA)	22 (2016: 31)		
University Services Department (UFB)	1 (2016: 4)		
University - general	2 (2016: 1)		
ICLON	2 (2016: 1)		
Other	4 (2016: 1)		
<i>Total non-faculty complaints</i>	31 (2016: 38)		
<b>Total</b>	<b>139 (2016: 125)</b>		





Of note in figure 12 is the faculty of Humanities' particularly large share of faculty complaints. I will analyse this further in chapter 4, 'Faculties in focus'. Also noteworthy is the faculty of Medicine, which experienced the largest drop in complaint numbers. The number of complaints about the faculties of Law and Medicine are also relatively low this year, in relation to the percentage of students studying at those faculties.

Also of note this year is the number of complaints about the department of SEA, which fell to 22 (compared to 31 in 2016 and 35 in 2015). All the more remarkable, given that the total number of students has increased. A principle reason for this may be that SEA has managed to reduce the number of complaints about student registration and de-registration, by way of improvements to student and communication systems – particularly for international students. In contrast to the previous two reporting years, the ombuds officer received very few complaints from Master students who commenced their studies in February and were unaware that they should cancel their student registration after obtaining their Master diploma. In 2017 only one such complaint was received. The ombuds officer understands from various faculty and study programme contact people, that complaints concerning issues of student (de)registration are now generally discussed and resolved in a direct line with SEA. In the ombuds officer's opinion, this is the optimal solution, given the amount of information about the student available to the study programme.

In addition to the university divisions in question, we can also break down the data to look at the role of the person/department about which a complaint was made. This can be seen in table 3.

Table 3: *Role of the person/department about which a complaint was made in 2017.*

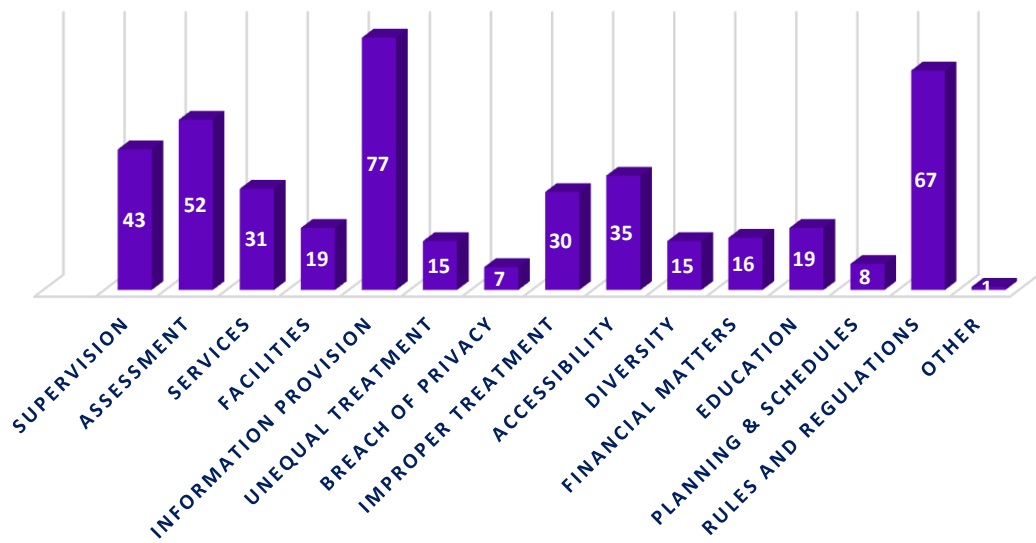
	<b>Number of complaints</b>
- (Staff member of) education/information desk, administrative department, or services department	28 (2016: 38)
- Lecturer(s), thesis supervisor	45 (2016: 27)
- Study, internship or thesis coordinator; study adviser; programme director or manager	15( 2016: 10)
- Board of Examiners/Admission Board	33( 2016: 24)
- Faculty, programme, institute or body (e.g. Executive Board) in general	14 (2016: 21)
- Other (e.g. invigilator)	4 (2016: 5)
<b>Total</b>	<b>139 (2016: 125)</b>

Immediately of note in table 3 is the growth in the number of complaints concerning lecturers and thesis supervisors (rising from 27 in 2016, to 45 in 2017), and the fall in complaints concerning educational support services. The number of complaints against exam and admission boards has also increased. Conversely, the number of complaints about study advisers or coordinators is relatively low, given that these staff members are the primary point of contact for students at faculty and study programme level. In cases of combined complaints concerning both a study adviser and a thesis supervisor or lecturer, the ombuds officer has opted to allocate this to the latter, unless the study adviser/coordinator's behaviour or information provision was the source of the complaint.

### **3.7 Nature of the complaints**

Upon receiving a complaint, the ombuds officer 'analyses' the grounds for the complaint according to a number of (partial) aspects, without judging the principle reason for the complaint. In practice, an appeal that initially appears to concern a lecturer, may turns out to be primarily about the assessment of a thesis or course. In such cases, the complaint will be placed in the principle category 'Assessment'.

**Figure 13:(partial)aspects within complaints**



Of particular note in figure 13 is that more than half the complaints(77) were allocated the (partial) reason ‘information provision’. The same is true of the category ‘rules and regulations’ (67), which includes complaints about, for example, the application of rules by a board of examiners or the failure to adhere to the method of assessment stated in the course description. 15 complaints scored in both the category ‘unequal treatment’ and ‘diversity’. This may seem to imply that the ombuds officer always ticks both categories in cases concerning unequal treatment. However this is not the case. Diversity generally concerns situations in which a student feels that he/she has been disadvantaged on the basis of ethnicity, gender, sexual orientation, health, religion, age or socio-economic background. Unequal treatment applies to cases in which students refer to other students who have been granted certain provision or exceptions that they have not.

Also noteworthy are the 35 complaints in which ‘accessibility’ was a (partial) reason for the student to complain. The ombuds officer hears regularly about thesis supervisors who are inaccessible for long periods of time (for example, more than 3 weeks). This may be due to an overseas trip which, of course, need not be an issue. However what *is* an issue is that upon enquiring at the faculty or department, no one can tell the student where the lecturer is or how he/she can be reached. The lecturer is simply absent. Another frequent issue in this category is the failure to reply to students’ emails or phone calls within a reasonable period of time.

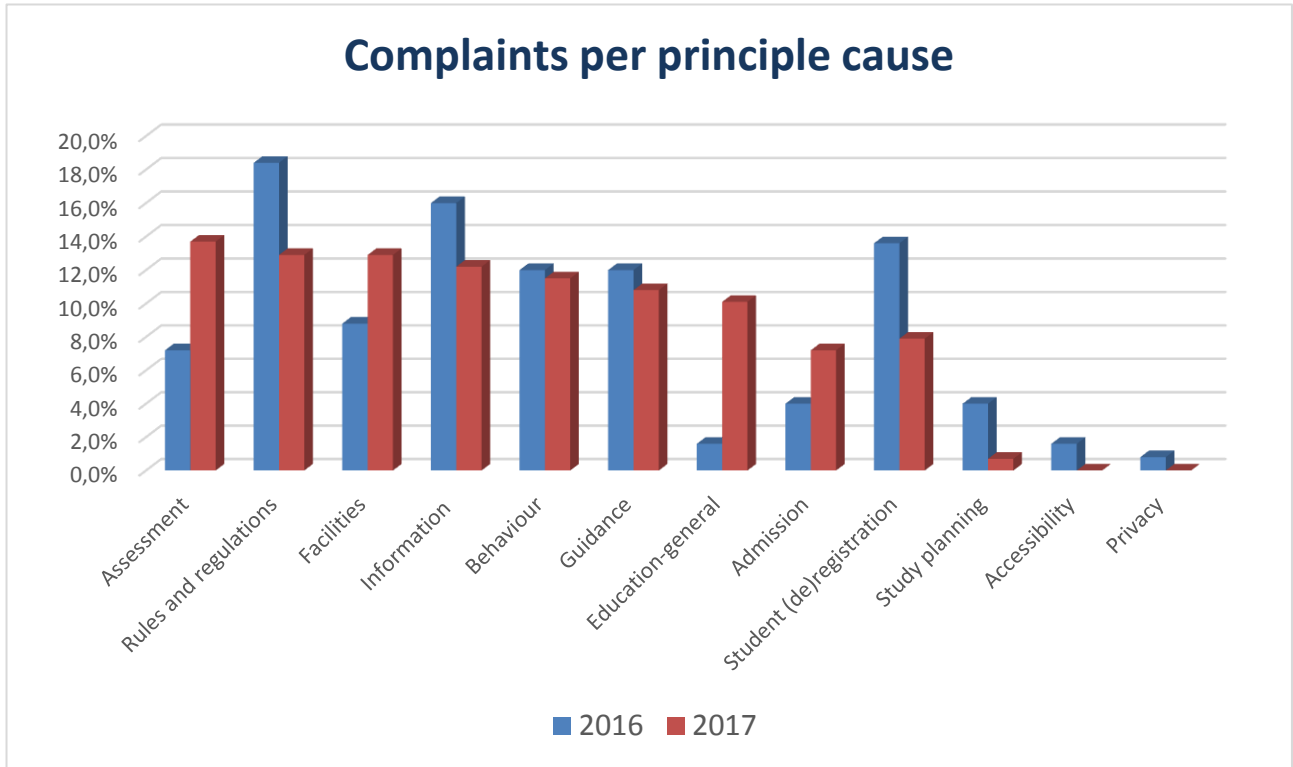
Table 4 shows the reasons for complaints divided into principle causes.

Table 4: *Principle causes of complaints received in 2017, ranked according to number of occurrences and further quantified in relation to international students.*

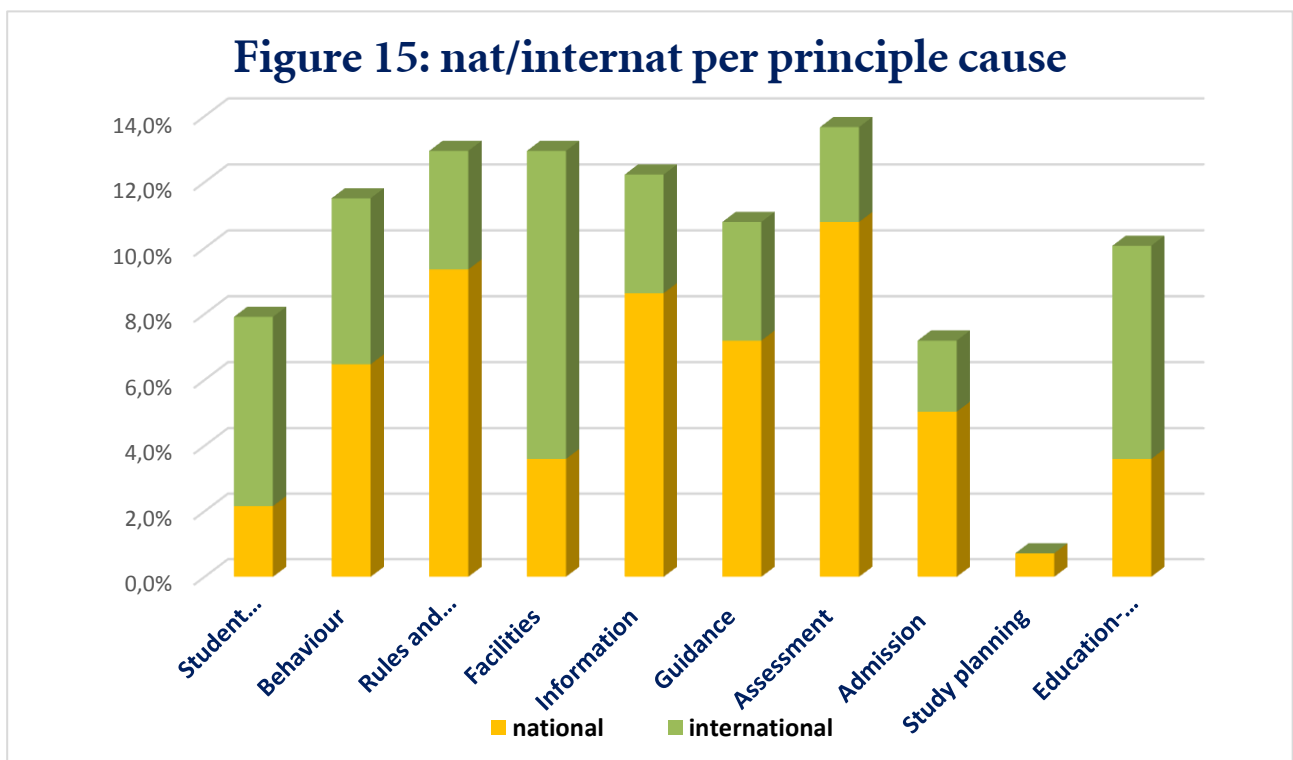
<b>Principle cause of complaint</b>	<b># complaint</b>	<b># international</b>	<b>% int.</b>
1. Assessment	20 (2016: 9)	4	20%
2. Rules and regulations	18 (2016: 23)	5	28%
2. Facilities	18 (2016: 11)	13	72%
4. Information	17 (2016: 15)	5	29%
5. Behaviour	16 (2016: 15)	7	44%
6. (Thesis)supervision	15 (2016: 15)	5	33%
7. Education – general	14 (2016: 2)	9	64%
8. Admission	10 (2016: 5)	3	30%
8. Student (de)registration	10 (2016: 17)	8	80%
10. Study planning	1 (2016: 5)	0	0%
	<b>139 (2016: 125)</b>	<b>59</b>	<b>42%</b>

In 2017, the largest number of complaints fell into the category ‘assessment’, which can be partially attributed to six complaints of this nature at the faculty or Archaeology. The largest category in 2016, ‘rules and regulations’, fell to second place. There was a marked fall in the number of complaints in the category ‘student (de)registration’, which was in third place last year but dropped to eighth place in 2017. As in previous years, it was mainly international students who submitted the majority of complaints in this category. The increase in complaints about the number three on the list, ‘facilities’, is not due to more complaints about housing (these numbers remained virtually the same), but rather due to an increase in the number of international students who complained about general facilities offered by Leiden University. For example, an English student complained about the number of unusable workstations at the university library; and a German student complained about the travel costs incurred by having to commute between the campuses in The Hague and Leiden. The sharp increase in the category ‘education–general’ can primarily be attributed to complaints from international students about the quality of education offered within the pre-Master programmes for Crisis and Security Management (FGGA, 4 complaints) and Linguistics (Humanities, 4 complaints).

This information is clearly illustrated in figure 14 .



In figure 15, the proportion of complaints from national/international students, per principle cause, is shown.



The large proportion of complaints from international students about facilities is not a great surprise when viewed alongside statistics from previous years. This group is more dependent on certain facilities than national students. Two complaints of note in 2017 concerned the lack of (financial) travel facilities for international students following a programme taught partially in Leiden and partially in The Hague; and the number of unusable (i.e. unnecessarily occupied) workstations at the university library. These complaints have been presented to the relevant central bodies.

### **3.8 How were complaints dealt with?**

The ombuds officer categorises the ways in which complaints are dealt with into six methods.

#### ***“Not dealt with”***

If the complaint is manifestly not admissible or unfounded, it will not be dealt with. The same is true if the complaint is resolved shortly after it has been submitted, unless the ombuds officer sees reason for further investigation.

#### ***“Exploratory research”***

If there is a clear reason for further investigation into a complaint, exploratory research will be initiated. The ombuds officer will first request permission from the student to make enquiries with the staff members involved in the complaint. If it is noted during exploratory research that the student has exhibited behaviour that causes concern or disruption, the ombuds officer may elect to contact the ‘Advice point for alarming behaviour’ (in strict confidentiality).

#### ***“Shuttle mediation or mediation ”***

If the ombuds officer reaches the conclusion that he can play a mediatory role, ‘shuttle’ mediation or true ‘mediation’ will take place. The first implies that the ombuds office will shuttle between the student and the person/body involved in the complaint; the second implies that the ombuds office will sit down with the student and the person/body in question. True mediation can only take place if the nature of the complaint permits this and if both parties agree to participate in discussions.

#### ***“Referral”***

Another option is that, after studying the complaint (exploratory research), the ombuds officer reaches the conclusion that he does not have the authority to deal with the complaint, or that another body within or outside the university is better suited to deal with the complaint. In such situations, the ombuds officer ‘refers’ the complaint. The most common example of referral takes the form of an appeal to the Examinations Appeal Board. However in 2017, a complaint from a PhD candidate was also referred to the confidential adviser for personnel matters.

### **“Advice”**

Upon studying the complaint, it may become apparent that there is no need for the ombuds officer to take direct action, but rather that the student would benefit more from advice on how best to deal with the situation. This type of complaint processing is regularly utilised in complaints concerning ‘behaviour’, in which there is no immediate necessity for the ombuds officer to form an opinion or hear both sides of an argument.

### **“Formal investigation”**

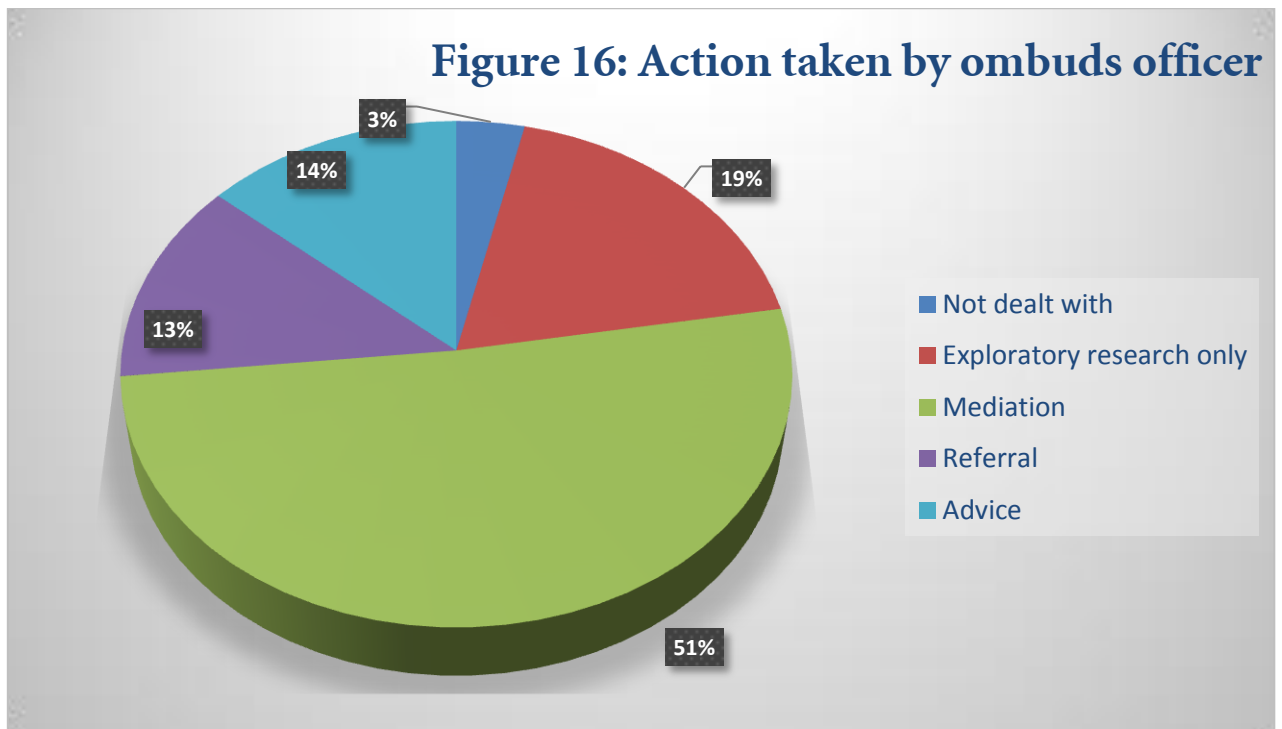
The Regulations relating to the ombuds officer grant the ombuds officer the authority to initiate a formal investigation in cases of recurring similar complaints, or complaints of a very serious nature (mostly concerning broader issues). In 2017, the ombuds officer did not make use of this authority. However a formal investigation that was begun in 2016, was brought to its conclusion in 2017. See chapter 5.

Table 5: *Method of dealing with complaints received in 2017*

<b>Method of dealing with complaint</b>	<b>Occurrences</b>
Not dealt with	5 (2016: 5)
Exploratory research only	26 (2016: 42)
Shuttle mediation / mediation	71 (2016: 42)
Referral	19 (2016: 14)
Advice	18 (2016: 21)
Formal investigation pursuant to art. 6	0 (2016: 1)
<b>Total</b>	<b>139</b>

The submission of a complaint to the ombuds officer increasingly leads to mediation. This was the methods employed for more than half the complaints submitted in 2017. The number of complaints that were not dealt with remained the same as in 2016, i.e. 5 complaints. The ombuds officer referred slightly more complaints to other bodies than was the case in 2016. The number of complaints resulting in ‘advice’ was also almost unchanged. This provides us with the following picture.

**Figure 16: Action taken by ombuds officer**

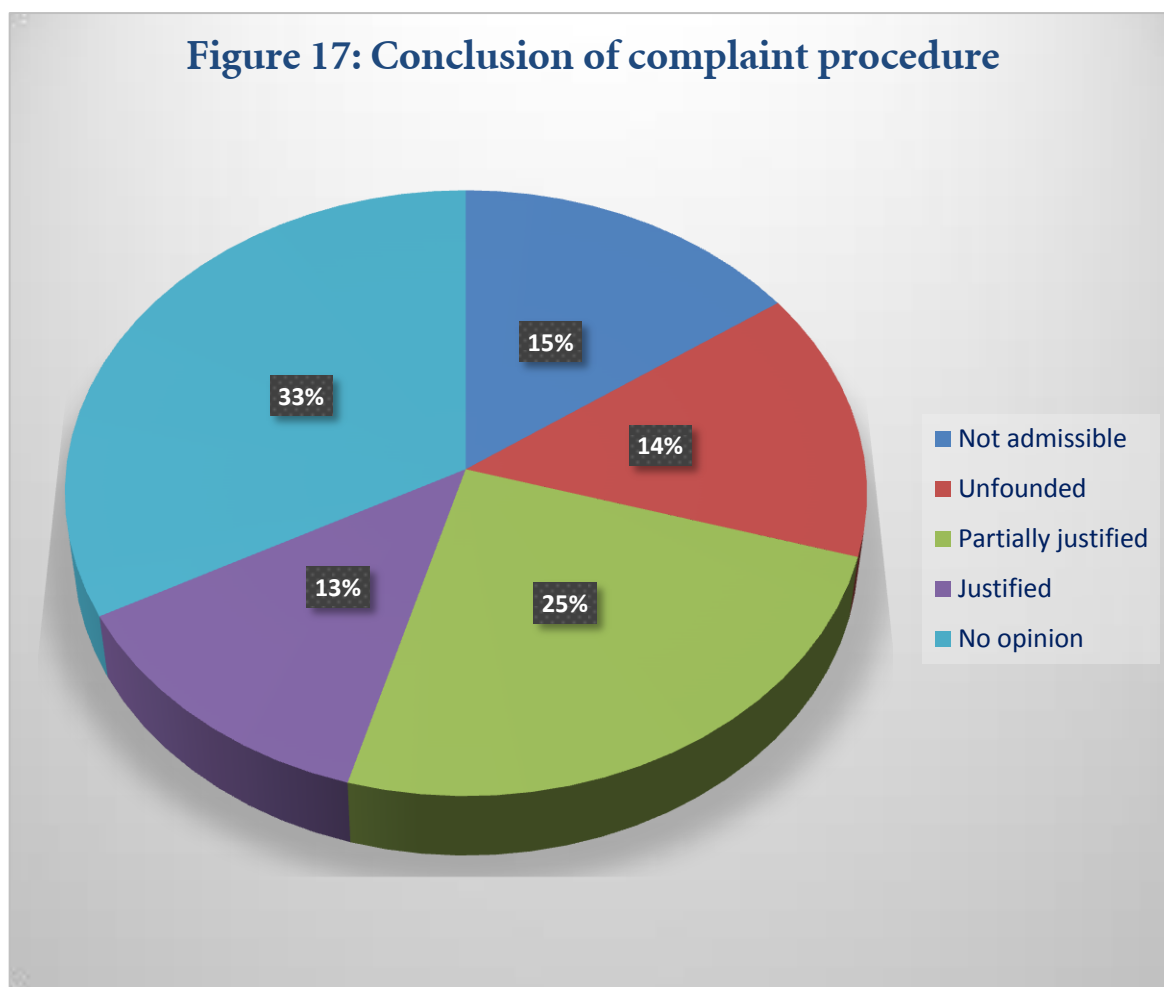


What conclusions did the ombuds officer reach as a result of the processing of each complaint? If a complaint was not dealt with, it goes without saying that the ombuds officer did not form an opinion, or found the complaint to be not admissible or unfounded. Of the five complaints not dealt with, one was declared not admissible and the ombuds officer did not form an opinion on the remaining four. It is of note that the ombuds officer formed a (provisional) conclusion more frequently following exploratory investigation (81%), rather than following mediation (76%). In 36 of the 71 mediation cases, the complaint was found to be 'justified', which gave reason for the ombuds officer to work towards resolving the issue in question. Sixteen cases were found to be only partially justified and 2 cases were declared unfounded. The number of unfounded complaints is notably higher in the category 'exploratory investigation'. Eight of the 21 cases in this category were declared unfounded. Upon further investigation, 2 complaints were found to be not admissible and 9 complaints were declared partially justified.

It goes without saying that in cases of referral and advice, the ombuds officer did not reach a conclusion. In the case of referrals, inadmissibility may also be a reason for the ombuds officer to refer a complaint to, for example, the Examinations Appeal Board or a central confidential adviser.



**Figure 17: Conclusion of complaint procedure**

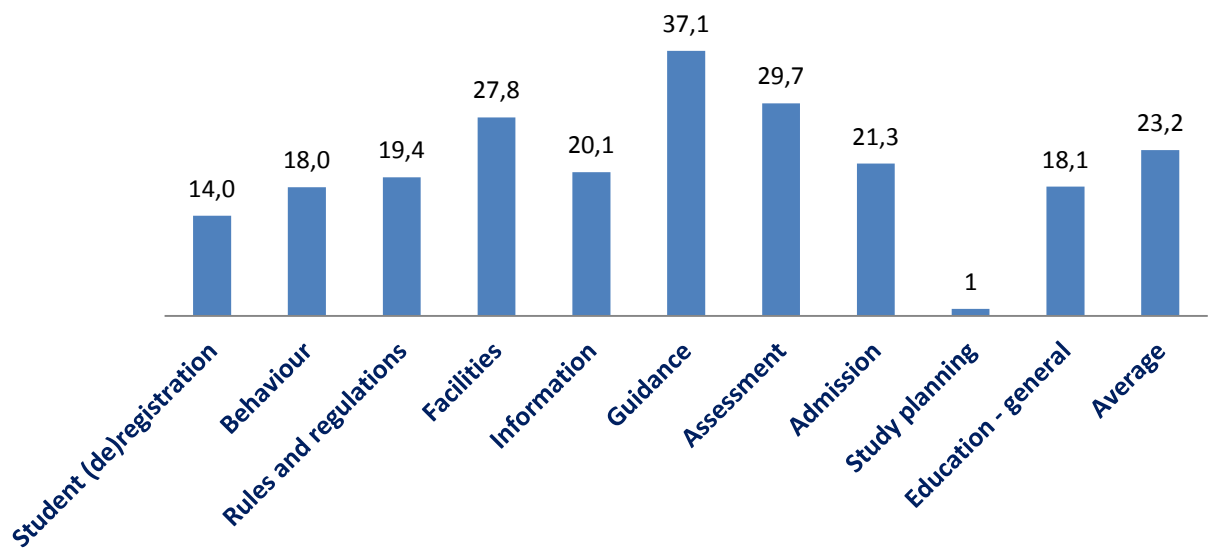


### **3.9 Duration of the complaint procedure**

How long does it take from the submission of a complaint until a conclusion is reached? The average duration of the complaint procedure has remained around the three week mark for the past few years. In 2017, it was an average of 23.2 days (figure 18). The processing time does vary, however, depending on whether the complaint concerns, for example, an issue of student (de)registration issue or an issue of student guidance. In the first case, an analysis of information already available in the administration system is generally required; in the second case, a reconstruction of agreements and/or communication over a much longer period is required. The complexity, delicacy and confidentiality of certain cases can also require a more cautious approach by the ombuds officer.

What is implied by the average duration of the complaint procedure, is that the ombuds officer takes very swift action upon receipt of a complaint. Students who submit a complaint on one of the ombuds officer's three Leiden workdays (Monday, Wednesday and Thursday), mostly receive a short (non-standard) reply the same day, in which the ombuds officer lets them know when he will begin examining their complaint. In this correspondence, the ombuds officer usually also requests permission to contact the person/body who has referred the student to the ombuds officer.

**Figure 18: Complaint processing time per principle cause**



## 4. Faculties in focus

### 4.1 Archaeology



Due to the similarity of complaints in 2017, i.e. concerning thesis supervision and assessment, the ombuds officer quickly decided, after receiving several complaints, to escalate the issue to the education portfolio holder within the faculty. In previous years, study advisers were the primary point of contact in cases of complaints. At the end of October 2017, a comprehensive discussion took place with the education portfolio holder, which eventually resulted in a confidential memorandum of advice being sent to the education portfolio holder.

#### **Snapshot of complaints in 2017**

The 2017 snapshot of complaints at Archaeology was mostly dominated by complaints about thesis supervision and assessment. In the second half of 2017, six students submitted a complaint about their thesis track. When it came to thesis writing, complaints concerned thesis supervision; a relatively large number of thesis tracks were allocated to lecturers who worked a (very) limited number of hours at the university and were therefore difficult to reach. These thesis tracks were often concluded with very long assessment periods (third reader appointed), because the opinion of the second reader (from another group) differed greatly from the opinion of the first reader and supervisor. In these cases, thesis assessment results were significantly lower than the grades generally obtained by these particular students. As a result, due to their low thesis grades, students who were on track for a Bachelor Cum Laude, were not able to join the two-year Research Master programme and therefore left the faculty. Despite diverse critical messages about this worrying state of affairs, the Archaeology Board of Examiners is not yet inclined to recognise the problem concerning thesis supervision. The ombuds officer has already sought contact with the department of legal affairs, to verify if significantly more appeals are submitted to the Executive Board about thesis supervision at the faculty of archaeology. The ombuds officer has concluded that that the Executive Board does not possess usable data on this matter.

## 4.2 Humanities



In the last few years, contact with the various study programmes and bodies at the faculty of Humanities has proved to be very effective when it comes to complaints submitted to the ombuds officer. Direct lines of communication exist with the various secretaries of the boards of examiners. The ombuds officer has also been invited by boards of examiners to participate as an observer at a number of settlement discussions. A special contact person for the ombuds officer has been appointed within the faculty management, who has access to most study programmes, committees, administration departments and the faculty board. For more study-related complaints, the ombuds officer has excellent contact with the study coordinator of the International Studies programme (16 complaints in 2017).

### **Snapshot of complaints in 2017**

Despite the remarkably good lines of communication, 2017 has seen a large increase in the number of complaints at the faculty of Humanities in relation to last year. However, one could conclude that this may be due to greater familiarity with the route to the ombuds officer amongst students, and more frequent referrals. This does seem to be the case, as 20 students reached the ombuds officer as the result of a direct referral by a study adviser/coordinator, as opposed to only 12 via a front office or education administration department. Whereas in 2016 ‘only’ 25 complaints were submitted about this faculty, in 2017 this rose to 45 complaints. The number could have been higher, if it wasn’t for the fact that in November 2017, a complaint submitted by 5 students at the same time about a lecturer on the International Studies programme, was classified as one complaint. However, the five complaints submitted in the months of February and March by students on the pre-Master Linguistics programme, were treated separately. These complaints concerned the unavailability of supervisors for the pre-Master thesis, that was introduced in 2017. This eventually resulted in a combined initiative for the benefit all pre-Master Linguistics students. The ombuds officer strongly urged the faculty and study programme to provide students with detailed information about the status of the problem, and to take measures to ensure that this did not result in delays in students joining the Master programme.

## 4.3 Medicine



At the faculty of Medicine, study advisers are the first point of contact in cases of complaints, with the option of escalating more complex cases to the chairperson of the board of examiners. Medicine also has a number of special committees, such as the Committee on Professional Conduct (CPG) and Committee on Exceptional Admission (CBT). Both committees are supported by the same secretary, with whom the ombuds officer has been in contact on a number of occasions. In 2017, this concerned a German student who, after completing an exchange period, wanted to continue her (Bachelor) programme in Leiden. After the student appealed to the Examinations Appeals Board, the Committee on Exceptional Admission agreed that the ombuds officer should be present as an observer during the settlement discussion. This led to the student being denied permission, on valid grounds, to join the Bachelor programme in Medicine.

### **Snapshot of complaints in 2017**

In 2017, only four complaints were submitted about the faculty of Medicine. Three concerned admission. The first case was investigated by the study adviser and turned out to be justified. In the second case, the selection and placement process coordinator, upon request, refuted the student's grounds for complaint in a clear and understandable manner, which led to the ombuds officer declaring the complaint to be unfounded. The third complaint concerned a specific provision of the Committee on Professional Conduct. It is not within the ombuds officer's authority to address valid regulations, therefore this question was re-routed to the department of legal affairs. The fourth complaint concerned the previously mentioned German exchange student, who the ombuds officer referred to the Examination Appeals Board.

## 4.4 Governance and Global Affairs



At FGGA, complaints are generally routed via the study advisers, with whom a good coordinating relationship has been established that facilitates the confidential discussion of complaints. The ombuds officer regularly discusses his strategies with the study advisers, allowing him to better mediate in complaints and also to assess what might be achieved through mediation. In the past three reporting years, a number of complaints have been escalated to the programme coordinator (of note are the pre-Master complaints, see snapshot of complaints below). In 2017, procedural meetings took place with the secretary of the board of examiners on a number of occasions. Many of the complaints about the general quality of the pre-master programme in Crisis and Security Management (CSM) were initially submitted as appeals to the Examinations Appeals Board, before being submitted to the ombuds officer. One of these complaints – exclusively from international students – was initially submitted to the chairperson of the Executive Board, after which it was re-directed to the ombuds officer by the director of SEA.

### **Snapshot of complaints in 2017**

The 16 complaints submitted about FGGA in 2017 mostly concerned the pre-Master phase (6) and the Bachelor phase (6). Due to the concurrence with the appeals to the Examination Appeals Board, the ombuds officer investigated further but did not issue an opinion, as it became apparent during his investigation that the complaints from pre-Master students mostly stemmed from an inadequate assessment of one pre-Master course. It is the role of the Examination Appeals Board, not the ombuds officer, to formulate an opinion in such issues. In the case of two other pre-Master complaints, the ombuds officer did express an opinion. In one case, the study programme was urged to take a student's serious family circumstances into consideration. The other case, concerning a Norwegian student who complained that the English pre-Master contained too much Dutch, was declared unfounded by the ombuds officer. Finally, a notable case concerning thesis supervision took 122 days to resolve! A student with a functional limitation was dropped by his original thesis supervisor and the ombuds officer was obliged to urge that a new supervisor be allocated as quickly as possible.

## 4.5 Law



Quite soon after the start of 2017, upon the advice of a study adviser, the ‘complaints route’ at the faculty of Law lead to the door of the chairperson of the board of examiners. In short succession, two fraud cases concerning the same exam for a first year course were submitted to the ombuds officer. Both cases were discussed with the chairperson of the board of examiners. In one case, the ombuds officer was offered the opportunity to be present as an observer during the settlement discussion with a student, after he/she submitted an appeal to the Examinations Appeals Board. For more standard complaints, the ombuds officer maintains effective contact with the study advisers and the secretary of the board of examiners. In 2017, the ombuds officer was not involved in any complaints submitted via the faculty’s internal ‘complaints route’ through the assessor, nor, as in previous years, was there any need to involve the education portfolio holder in any complaints.

### **Snapshot of complaints in 2017**

At the faculty of Law, the reporting year 2017 was relatively quiet in terms of complaints to the ombuds officer, i.e. 9 complaints. One less than in the previous reporting year. In most cases (7), the ombuds officer did not issue an opinion and concluded the case with a referral or by giving advice. Apart

from the two fraud cases, the ombuds officer only played a larger role in one other case. This concerned a dyslexic students who had repeatedly experienced difficulties in the legal language test and had requested special exam provisions from the board of examiners.

## 4.6 Social Sciences



For some time, the ombuds officer has benefited from the existence of a ‘faculty complaints coordinator’ at the faculty of Social Sciences. This role is fulfilled by the secretary of the faculty board, who has the necessary access to quickly and decisively take over a complaint procedure should this be required, and to request the support of the ombuds officer. The complaints coordinator was of great value during the execution and finalisation of a formal investigation that commenced in September 2016 (see chapter 5). Also worthy of note are the regular confidential discussions (undertaken with the consent of the students in question) with the secretary of the largest study programme, Psychology. In 2017, these primarily concerned cases involving evaluation (principle cause), which also had a second underlying cause, for example incorrect or unequal treatment.

### **Snapshot of complaints in 2017**

Given the distribution of students over the various study programmes, it is not surprising that 11 of the 19 complaints about the faculty of Social Sciences in 2017 concerned the Psychology programme. These complaints concerned matters such as the behaviour of lecturers, facilities (“why is the first-year diploma no longer awarded”) and procedures, for example a broad-ranging but confidential question from an international student concerning plagiarism. The majority of complaints were resolved via mediation (8), or referral, for example to the Examinations Appeals Board or the confidential adviser for personnel issues (in a PhD case).





## 4.7 Science



In 2017, as in the 2015 and 2016, there was no cause to escalate a complaint to the education portfolio holder within the faculty board. Due to the relatively low number of complaints at this faculty, i.e. only 8 in 2017, one could question whether there is a need to appoint a faculty contact person for student complaints, on top of the study advisers who are already present. However, a number of complaints submitted in 2017 and in previous years do illustrate the need for such an appointment, as certain complaints are not strictly study related and require confidential internal investigation. In most cases in 2017, the confidential lines of communication via study advisers did suffice.

### **Snapshot of complaints in 2017**

Most complaints in 2017 featured ‘guidance’ as the principle cause. These included students who complained, for example, about the poor accessibility of lecturers or the lack of an appointed supervisor. In one complaint concerning the treatment of a student, the ombuds officer decided to contact the lecturer involved in the complaint directly, due to the sensitive nature of the complaint – which was from a dyslexic student who believed he had been ‘written off’ by the institute due to his functional limitation. This resulted in total cooperation on the part of the lecturer and a complaint procedure in which both sides of the story could be heard. After extensive exploratory research, the ombuds officer founds the student’s complaint to be unfounded.

## 5. Formal investigation – Faculty of Social Sciences

On 8 September 2016, the ombuds officer initiated a formal investigation on the grounds of articles 6 and 7 of the Regulations Relating to the Ombuds Officer. This concerned the behaviour of a lecturer from the Institute of Political Science at the faculty of Social Sciences, which had led to four complaints from students in the period November 2015 till June 2016. The students stated that they found the lecturer's behaviour to be intimidating. The investigation concluded in March 2017 with the submission of a report on the investigation to the Dean of the faculty of Social Sciences.

It is important to note that it was not so much the behaviour of the lecturer that prompted the ombuds officer to initiate the investigation, but more so, the way in which the faculty organisation reacted to it. In order to preserve the confidential nature of the report, I shall present here only a brief overview of the primary findings of the formal investigation.

- There is a lack of clarity concerning roles and responsibilities in cases of complaints about lecturers.
- Internal feedback systems and the responsibility of individual employee to signal problems is a cause for concern.
- The ‘instruments’ available to guide the behaviour of lecturers (e.g. P&D interviews) are of limited efficacy.
- There is limited awareness amongst staff of (legal) protection procedures in cases of complaints.
- The faculty of Social Sciences is committed to improving the existing systems for signalling and correcting inappropriate behaviour.

In his recommendations, the ombuds officer stressed the importance of clear and concrete complaints procedures, whilst acknowledging that the need for both care and speed when intervening can sometimes be at odds. Clear procedures benefit both the complainant and the person who is the subject of the complaint. Confidentiality is essential at all times.

In addition, the ombuds officer suggested improvements to the feedback culture. Some of these suggestions are, strictly speaking, outside the authority of the ombuds officer and fall rather into the domain of the personnel department. This being said, the domains of students and personnel, particularly in cases concerning student/staff relations, should not be viewed entirely separately.

In line with these comments, the ombuds officer advised the faculty of Social Sciences to better (and earlier) inform staff and lecturers about existing complaints procedures and codes of conduct.

On 3 March 2017, the faculty of Social Science indicated that they agreed with the conclusions stated in ombuds officer's report on the investigation and will adopt the suggested measures. However, in its reaction, the faculty board also cautioned against formulating policies on the basis of complaints about one lecturer.

## 6. Conclusions and recommendations

### Conclusion 1

Students (both national and international) know how to find the ombuds officer. However, the ombuds officer **did not deal with one in six complaints himself**.

### Recommendation

In 2017, the ombuds officer did not investigate (process) 23 of the complaints submitted to him. This leads one to conclude that it is not only important to inform students about which issues they *can* address to the ombuds officer, but also which they *cannot*. Ideally, there should be clarity concerning which types of complaint should be submitted to which bodies. The ultimate goal is an understandable and complete assemblage of complaints facilities within Leiden University.

### Conclusion 2

**Pre-master programmes** at the faculties of Humanities and Governance and Global Affairs accounted for a relatively large share of complaints submitted to the ombuds officer in 2017.

### Recommendation

In 2017, the ombuds officer received a total of 12 complaints, distributed over two pre-Master programmes. The similarities between these complaints, from predominantly international students, prompted the ombuds officer to speak to those responsible for the pre-Master Linguistics at the faculty of Humanities and the pre-Master CSM at FGGA. The same advice applies to all: ensure better information and communication to international students about pre-master programmes and, in particular, ensure that these programmes take into consideration the available educational capacity within the faculty.

### Conclusion 3

In 2017, the ombuds officer received a disproportionate number of complaints about **thesis supervision and assessment at the faculty of Archaeology**.

### Recommendation

A necessary prerequisite for improving the situation at Archaeology is the recognition of a (the) problem. In addition, the ombuds officer has observed that Archaeology feels limited responsibility for (often good and excellent) students, who complete their study programme very unsatisfactorily and – in the case of Bachelor students – do not choose to continue their Archaeology studies in Leiden. In the ombuds officer's opinion, this not only requires better student care on the part of the faculty, but above all, a change of attitude.

#### **Conclusion 4**

Just as in 2015 and 2016, the ombuds officer has found the presence of an **appointed complaints coordinator at faculties** to be an asset in bringing complaint procedures to an effective and satisfactory conclusion.

#### **Recommendation**

For better 'internal routing' and effective processing of complaints, the ombuds officer recommends the appointment of a faculty contact person, as has been done at Social Sciences and Humanities. This would not only benefit the ombuds officer, but also the other central confidential advisers. An appointed complaints coordinator enables agreements to be reached concerning the processing of a complaint, in a confidential manner.

#### **Conclusion 5**

The marked growth in the **number of complaints submitted about Humanities** in 2017, is primarily the result of more frequent referrals to the ombuds officer.

#### **Recommendation**

In the ombuds officer's opinion, the fact that most complaints (both nominally and relatively) were submitted about the faculty of Humanities should not be seen as a negative outcome. The ombuds officer believes that this demonstrates that a relatively large numbers of complaints arise at Humanities in which the staff member involved is not able to draw the attention of those responsible at the faculty, which would lead to a careful examination of all aspects of the complaint. Due to the large number of programmes and institutes at Humanities, the proverbial 'ball' therefore remains in the air. It is often unclear who should take action in situations concerning (groups of) students. It could therefore be suggested that, at present, the ombuds officer provides a complaints facility that could, in his opinion, be better located internally, between the various study programmes, institutes and the two campuses. The ombuds officer believes that this option should be investigated.





**Published by:**

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