

ANNUAL REPORT 2014
Ombuds Officer for Students
Universiteit Leiden

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Forward

This report provides an overview of the nature of complaints submitted to the ombuds officer and how they were dealt with in the year 2014.

The report is based on 96 complaints. More than half of these came from Master's students. 29% were from international students. Three quarters of the complaints were dealt with within a period of one month.

The most common source of complaints was procedures that were not carried out as they should have been, resulting in students feeling disadvantaged. Money issues also played a prominent role, as did failures in the provision of information. Most complaints about university employees concerned members of the support staff. However lecturers, study advisors and exam commissions also received their share of complaints.

In 2014 Ms Jacqueline van Meerkerk fulfilled the role of ombuds officer rather than myself. Therefore the majority of this report is based on the cases dealt with by Ms van Meerkerk.

Leiden, April 2015

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1. The ombuds officer¹

Since 2010 the Higher Education and Research Act (WHW) has stipulated that all universities and institutes of professional higher education must have an accessible and visible facility to which students can turn if they do not agree with a decision or have a complaint. Leiden University has met this legal obligation through the creation of a webpage: the digital complaints box. By way of a series of questions concerning the nature of the complaint students are guided to the appropriate body.

Ombuds officer regulations at Leiden University²

Every student is entitled to submit a complaint to the ombuds officer about 'the way in which an administrative body or staff member of the university has acted towards him or her in a specific situation'. This is a broad definition and consequently the ombuds officer deals with a broad range of complaints. The term 'student' is also interpreted in a broad sense: prospective students are entitled to submit a complaint, as are graduates as long as the complaint concerns the (period of the) study programme. Complaints about university policy or undesirable behaviour (sexual intimidation, discrimination) do not fall under the competences of the ombuds officer. There are separate bodies in place for such matters.

The methodology of the ombuds officer is stated in the Regulations. This entails, for example, investigating the complaint by listening to both sides of the argument and assessing whether an amicable agreement might be possible. All staff and administrative bodies of the university are obliged to cooperate in an investigation by the ombuds officer and provide any information requested.

The purpose of the ombuds officer's yearly report is to give an overview of the cases dealt with, whilst maintaining the anonymity of the persons involved, and to make recommendations. The ombuds officer can also undertake investigations and issue recommendations to the Executive Board on his/her own initiative, without prior request.

Methodology of the ombuds officer

The most important characteristics of the ombuds officer's methodology are: confidentiality, neutrality and independence. These are the specific characteristics of all ombuds officers.

Confidentiality means that all complaints are dealt with in strict confidentiality. A complaint will only be discussed with a third party if express permission is given by the person who lodged the

¹ The paragraph about the visible facility and ombuds officer regulations are indirect translations of excerpts from T.M.Willemsen (2014), Ombudsfunctionaris voor studenten, *Tijdschrift Conflictantering*, nr 6, 2014, 27-31.

² The ombuds officer regulations can be downloaded via: <http://regulations.leiden.edu/legal-protection/regulations-relating-to-the-ombudsperson.html>

complaint. Yearly reporting is done in such a way that the persons who lodged complaints cannot be identified.

Neutrality means that the ombuds officer tries to find a reasonable and fair solution to a problem without bias or prejudice. The methodology of the ombuds officer is based upon listening to both sides of an argument. Even though the ombuds officer's clients are always students this does not mean that the ombuds officer always takes the side of the student. A student may at any time discontinue the processing of his/her case, whereas the ombuds officer may only do so under clearly-defined circumstances.

Independence means that the ombuds officer works independently and does not have a manager or superior. All Leiden University staff, from all levels of the organisation, are obliged to cooperate in investigations carried out by the ombuds officer and provide all information requested.

Information available on the ombuds officer

The ombuds officer can be reached via the digital complaints box. Previously a link to the digital complaints box was provided on the student portal homepage of Leiden University's website. Unfortunately this has been removed. There are also links to the digital complaints box and the ombuds officer in various other places and on faculty websites.

Information about the ombuds officer is provided in both the Dutch and English version of the Student Charter. The ombuds officer regulations are available in both Dutch and English on the university website.

Consultation within the university

The ombuds officer consults regularly with other bodies within the university that are involved with the provision of services to students. Informal meetings take place between the ombuds officer and the confidential counsellor for personnel, the confidential counsellor on undesirable behaviour and the LUMC independent complaints mediator. Meetings generally serve as inter-vision groups, in which anonymous cases are discussed.

The work of the ombuds officer is supported by the secretariat of the Student and Educational Affairs expertise centre (SEA). The secretariat takes care of any correspondence that is not dealt with by ombuds officer directly by email, answers the telephone, oversees the agenda and makes appointments.

Professional organisations

Leiden University's ombuds officer is affiliated with the Dutch meeting of ombuds officers in higher education (Nederlandse overleg van ombudsmannen in het hoger onderwijs – **VOHO**) and attended several meetings of this organisation in 2014.

The ombuds officer is also affiliated with ENOHE, the European Network of Ombudsmen in Higher Education. This organisation holds a yearly conference. In 2014 Leiden University's ombuds officer participated in this conference.



2. Complaints

This chapter contains an overview of the number and nature of complaints received in 2014, as well as information on how these were dealt with.

Number of complaints

When I took up the post of ombuds officer in February 2015, 110 cases (case numbers/names) had been recorded for the year 2014. To this I added a further two cases that had been submitted in December 2014 but had not yet been registered or processed. Of these 112 cases it turned out that 2 had been submitted in 2013. 11 cases were in fact not complaints, but rather, for example, requests for information or dialogue between colleagues. For 3 cases no information could be found other than the name and registration number. As a result this annual report covers a total of 96 cases (112 - 2 - 11 - 3).

It is possible that the three undocumented cases (most probably dealt with by phone) were also complaints, which brings the total number of cases submitted in 2014 to 99. This is less than during the year 2013 in which 112 cases were recorded – including those in which the ombuds officer was not qualified to take action³. This appears to indicate that the upward trend in the number of cases in recent years has been reversed.

The above-mentioned 96 complaints were submitted by a total of 91 different students. Two students submitted 2 complaints and one student submitted 4.

Method of submission

The majority of complaints (72 of the 96, i.e. 73%) were submitted by email. In 15 cases the complaint was initially reported to the ombuds person by phone. 6 cases were reported by way of a personal meeting and 3 were submitted by post. This can be seen in figure 1.

³ See annual report 2013: <http://media.leidenuniv.nl/legacy/ombudsperson-annual-report-2013.pdf>

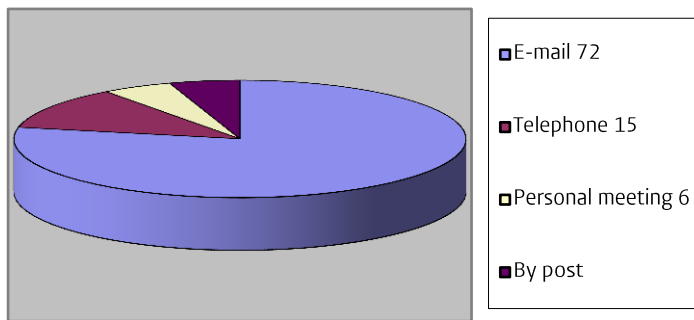


Figure 1: Method of submission

Who submitted a complaint?

Of the 91 complainants 66 were women (73%) and 25 were men (27%). This can be seen in figure 2.

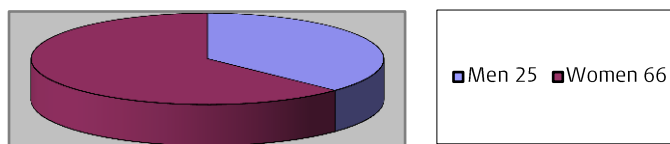


Figure 2: Number of complaints according to gender

26 of the 91 students who submitted a complaint were international students (29%). This means that international students were over-represented amongst complainants. 22% of students admitted to Master's programmes are international. The number of international students in the Bachelor's phase has not been published but this is significantly less.

Of the 91 students who submitted a complaint, 48 were following Master's programmes or undertaking a clinical internship. This represents more than half of all complainants. Third year students submitted most complaints out of all Bachelor students' complaints⁴.

⁴ Unfortunately the website of LU does not provide statistics concerning the percentage of female, international or Master students in the total student population. Consequently it is not possible to verify if these groups are overrepresented.

What and who were the complaints about?

Table 1. shows the affiliated faculty or division of the staff/department that was the subject of a complaint. Two faculties stand out. The Faculty of Humanities has a high number of complaints in relation to its student numbers. It is not clear why this is the case. The nature of the complaints was varied and covered a range of study programmes. The Faculty of Law (Leiden Law School) received a low number of complaints in relation to its student numbers. This could be due to the well-organised complaints handling procedure within the faculty itself.

Table 1: Affiliation of staff or departments that were the subject of a complaint.

	Number of complaints 2013-2014	% complaints 2013-2014⁵	% students 2013-2014⁶
Faculty			
Archaeology	1	1,4	2,1
Campus The Hague	6	8,6	6,9
Humanities	30	42,9	24,1
Medicine/LUMC	3	4,3	11,2
Law	7	10,0	22,1
Social Sciences	17	24,3	21,9
Mathematics and Natural Sciences	6	8,6	11,7
<i>Total per faculty</i>	70	100,0	100,0
Other division			
Student and Educational Affairs (SEA)	18		
ICLON	1		
Other or unknown	7		
<i>Total non-faculty</i>	26		
Total	96		

Of the 18 complaints about SEA, eight concerned the Student Administration Department, four concerned the Housing Department and two concerned the Admissions Office, which is the first point of contact for international students.

In addition to the university division in question, we can also break down the data to determine the role of the person/department about which a complaint was made. This can be seen in table 2. The table is arranged in order of the number of occurrences. It can be noted that most complaints, 30 out of the 96, concerned support staff. Students felt, for example, that they were not treated

⁵ The basis for the calculation of this percentage is the total number of complaints concerning faculties, i.e. 70 (100%)

⁶ Information about the number of registered students per faculty is based on the information that can be found on <http://media.leidenuniv.nl/legacy/kerncijfers-universiteit-leiden.pdf>.

correctly by staff of the Student Administration Department or the Housing Department, or that they received incorrect information from the education information office at their faculty.

Twenty complaints concerned Boards of Examiners. Some concerned matters against which an appeal could be lodged with the Examinations Appeals Board. However the student opted to pursue the matter initially with the ombuds officer, either because this was a quicker and more informal option, or because the ombuds officer could assist him/her in drawing up a clearly formulated letter of objection to the Board of Examiners. Some complaints did not specifically concern a decision made by the Board of Examiners, but rather treatment received, excessive response times, or failure to adhere to regulations such as time-frames for the grading of exams.

Of the 19 complaints about lecturers, eight concerned thesis supervisors. This is not surprising given that thesis supervision represents the most intensive contact between students and lecturers. In addition, thesis grades often play an important role for students wishing to undertake a Research Master’s programme or register in time for a Master’s programme. The term ‘unknown’ means that this information could not be determined from the available documentation.

Table 2: *Role of staff members about whom a complaint was made in 2014.*

	Number of complaints 2013-2014
(Staff member) education/information desk, or administration, or facilities	30
Boards of examiners	20
Lecturer	19
Study advisor or coordinator	16
Faculty in general	5
Unknown	6
Total	96

Nature of the complaints

Table 3 on page 11 shows the nature of the complaints along with a short description per category. The category classifications used are the same as those employed in the annual reports of 2009 - 2011. In the annual reports of 2012 and 2013 a different classification system was used. However given the limited time available for the analysis of dossiers and the drawing up of this annual report it was deemed more efficient to use the previous system with which the author is more familiar.

A complaint can cover several issues, meaning that it can appear in more than one category. The final column of table 3 indicates how often each of the 6 categories were featured in the complaints received in 2014. The table is arranged according to the number of occurrences. The most commonly occurring categories appear at the top. A total of 199 issues have been identified in the 96 complaints received.

The descriptions given in the table define each category exactly as it was interpreted during the classification of complaints.

32 complaints concerned procedural issues. These included matters such as BSA letters sent too late, suspected mistakes in student (re)registration procedures, lecturers who failed to follow correct procedures for the grading of theses, and a Board of Examiners that took months to reply. A particularly serious case involved a student whose registration was cancelled by the Student Administration Department at the request of the study programme, as they concluded that the student was taking too long to complete the study programme. However the student had not even been notified that he/she had been de-registered. In addition, in this particular case, de-registration should only have been permitted at the request of the student him/herself as no negative BSA had been issued. Another serious complaint concerned a chairman of a Board of Examiners who refused to implement a decision made by the Examinations Appeals board.

30 complaints concerned financial issues. In 16 cases this was the main grounds for complaint and students requested, for example, refunds of fines paid, administrative costs, or (partial) tuition fee. International student also requested refunds of housing deposits and (partial) rental payments. In other cases financial issues had arisen as a result of a complaint about another issue, for example academic delay resulting from a grading delay of several months duration.

Many complaints, 28 in total, concerned the provision of information. This is remarkable given that faculties provide detailed information via the university website, and all OERs and prospectuses can be found online. Furthermore, information on all matters considered to be of relevance to students, such as student registration and BSA, can be found on the website. Despite this, some students still felt that they had received too little or incorrect information about specific aspects of their studies, exam regulations or requirements for student registration.

Complaints about the grading of exams or other pieces of academic work were also common, amounting to 27 in total. All aspects mentioned in this description of this category featured in complaints. Seven complaints concerned a grade that was too low in the opinion of the student. These were mostly failing grades, however one case concerned a student who had been awarded an 8 but required a higher grade to graduate cum laude. The other categories featured less frequently or not at all. The descriptions speak for themselves. Finally, to bring this chapter to an end, I would like to describe one complaint of particular note from the category 'service'. An international student complained that he/she has mistakenly understood that it was necessary to send an original diploma and birth certificate to the university. Upon discovering that this was not the case, he/she was unable to retrieve these items as the Admissions Office stated that they were now the property of the university. Rather than being placed in the student's dossier they had been moved to an external archive and therefore, apparently, it was impossible to return them.

Table 3: Description of the nature of complaints received in 2014, ranked according to number of occurrences⁷.

Category	Nature of complaints in this category	Number of occurrences
Procedural issues	Staff or Boards of Examiners failed to act according to regulations and agreements, or acted too late, or showed extreme lack of leniency	32
Financial issues	Additional costs incurred due to delays in grading or other issues beyond the control of the student; or overpriced course, programme or facilities; or excessive tuition fees debited.	30
Provision of information	Incorrect, too little, too late, too difficult to find; not in accordance with regulations stated in OER or prospectus; student disagrees with grade issued; no discussion of evaluation.	28
Evaluation	Grading deadline exceeded; evaluation is biased or not in accordance with regulations in the OER or prospectus; student disagrees with grade issued; no discussion of evaluation.	27
Service	Too little, too slow, or incorrect information or treatment from study advisors, SEA staff or staff of facilities department.	17
Education	Content of education received not of correct level, or different, or less choice than stated in the prospectus.	14
Treatment	Rude, threatening or intimidating behaviour or bluntness on the part of staff member.	13
Accessibility	Inability to contact lecturer; e-mail or letter unanswered; making appointment or communication with staff member not possible within reasonable period of time.	13
Guidance	Too little, unclear or incomplete feedback; insufficient time spent on (thesis) supervision; lack of (thesis) supervision; lack of tutor or mentor.	8
Planning and schedule	Unfavourable schedule; two courses or exams at same time; placement into or exemption from study group or clinical internship lead to delay; changes to schedule after commencement of academic year.	7
Unequal treatment	Different decision (e.g. about exemptions) in identical cases; unequal opportunities for students with a disability.	4
Facilities	Poor, unavailable or inaccessible facilities.	4
Breaches of privacy	Information about student unlawfully provided, or made available, to third parties.	2
Total		199

How complaints were dealt with

At the end of 2014, 13 cases were still being processed or had not yet been processed. However at the time of writing these 13 cases had all been processed, therefore it is possible to describe the

⁷ Note: the table deals with the nature of a complaint as described by the student, i.e. from the perspective of the complainant. This does not necessarily reflect the perspective of the other parties involved.

way in which all 96 cases were dealt with. Table 4 shows how often each method of dealing with complaints was employed.

Table 4: Methods of dealing with complaints received in 2014

Method of dealing with complaint	Number of occurrences
Not dealt with	15
Exploratory research only	12
Referral	26
Advice	24
Mediation	17
Unknown	2
Total	96

Fifteen cases were not dealt with for various reasons, including the following. One complaint was withdrawn. One complaint was submitted simultaneously to the Appeals and Objections Committee. One complaint was resolved by the student him/herself during a period in which an ombuds officer was not available. Two complaints were not dealt with because the student in question had submitted so many complaints, appeals and objections to a range of university bodies that access to the complaints procedure was withdrawn in his/her case and no further complaints were considered. On four occasions a student submitted an initial complaint then failed to respond to communication from the ombuds officer requesting further information or proposing a meeting.

In 12 cases exploratory research only was carried out. This consisted of, for example, looking up relevant regulations such as the OER (Education and Examination Regulations) of the study programme in question; checking the course description as stated in the prospectus; requesting further information on a particular programme or regulation from a study advisor; or posing additional questions and requesting further information from the student. In 12 cases in the year 2014 this method alone was sufficient to deal with the complaint.

In 2014 many cases were referred to other bodies. Complaints about lecturers were referred mostly to faculties. Complaints about Boards of Examiners were referred to the Examinations Appeals Board. During the prolonged absence of the ombuds officer several complaints were referred to other individuals for assistance, for example to Student Counsellors.

Twenty four complaints were dealt with by way of the issuance of advice. This means that the ombuds officer provides the student with advice on what action should be taken. The ombuds officer discusses with the student the most appropriate steps to take, whether letters or emails should be sent, and to whom, and what the content of these letters or emails should be. The student is then able to resolve the problem him/herself without the ombuds officer having to contact the person about whom a complaint has been made.

Mediation means that the ombuds officer contacts the person about whom a complaint has been made, in person or by phone, and tries to come to a solution by discussing the case with that person and, if required, with his/her manager. The results of this discussion are communicated to the complainant. In the vast majority of cases such mediation leads to both parties agreeing to close the case. Two cases were resolved by way of mediation, that is to say by way of a mediatory discussion between the two parties overseen by the ombuds officer.

In some cases the handling of a case does not result in a solution that the student is happy with. In 2014, 14 of the 96 cases were found to be unfounded. Examples included a complaint about a refusal of permission to re-register on a study programme from a student who had been issued with negative BSA; and a complaint from a student who wanted to follow two different study programmes but was not granted permission to be exempted from taking a compulsory course when this coincided with a course from the other study programme.

Duration of the complaints procedure

The duration of the complaints procedure is indicated into figure 3. In approximately half the cases, 49 of the 96, the duration of the procedure was not longer than two weeks. Around three quarters of complaints (69 of the 96, 72%) were dealt within one months. 14 complaints were dealt with within two months.

There were various reasons why some cases took longer. Often this was because it was necessary to plan several meetings, or because it took staff members some time to gather all the information they were requested to submit. In some cases holidays on the part of a student and/or the ombuds officer lead to a longer procedure. The processing of complaints that were submitted in December, or for which processing had not begun in December, only recommenced in February. This explains the unusually high number of complaints that took more than two months to be processed (13, 14%).

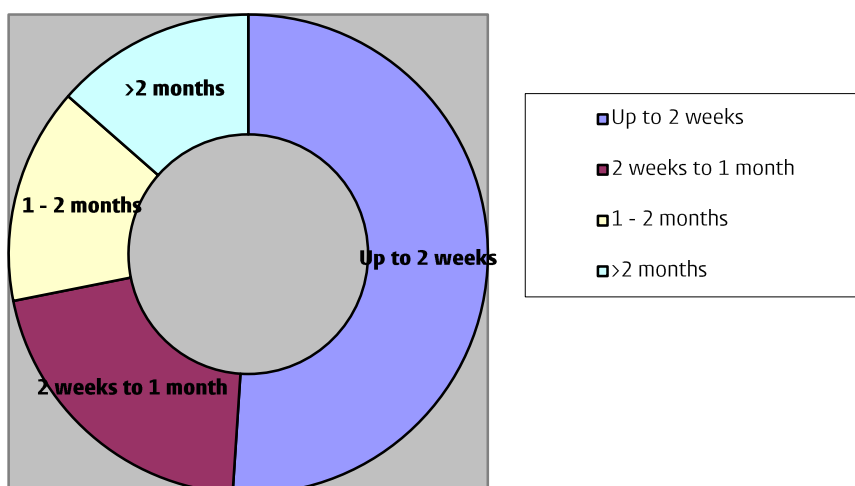


Figure 3 Average duration of complaints procedure

3. Conclusion and recommendations

On the basis of the above-mentioned findings it can be concluded that the number of complaints submitted in 2014 was lower than in the preceding two years. The reasons for this are not clear: there are more students and the pressure on students to graduate on time has increased, which might lead one to expect more rather than less complaints. For the time being it might be wise to not jump to overly optimistic conclusions about the decrease in complaints seen in 2014.

It has been observed that the ombuds officer is now more difficult to find on the Leiden University website. The link to the digital complaints box has been removed from the student portal home page, which means significantly more searching is required to locate it. As a result, this 'accessible facility', as required by law, has become rather less accessible. It is therefore recommended that the digital complaints box be made more visible on the university website.

The fact that international students are overrepresented among complainants is a cause for concern. Many of these complaints concerned the content of study programmes, more specifically that the level of education did not meet expectations, and a lack of available information (in English). Students who have come to the Netherlands from overseas, sometimes on the basis of overly rosy expectations created by websites and brochures, who have often paid a lot of money for their education, are generally much quicker to voice complaints. This can be avoided by ensuring that the description of study programme content is always realistic and not primarily geared towards marketing. Students who have been attracted by the promise of excellent education must be provided with excellent education if we are to avoid disappointment and complaints.

Complaints from international students about the Admissions Office and Housing Office are of even more concern, as these departments are the first point of contact for international students and thus give a first impression of our university. It is recommended that the procedures of these department be reviewed, as although the number of complaints is not extremely high, the nature of the complaints was quite serious.

It is worthy of comment that financial issues played a role in almost a third of all complaints. Not only in the form of initial complaints, for example about fines for late exam registration or (partial) refunds of tuition fees, but also as a consequence of complaints concerning other matters. Students are increasingly aware of the financial consequences of academic and graduation delays. As a result, complaints about grading delays or poor academic guidance resulting in academic delay often also mentioned the financial consequences for the student. It is therefore recommended that an assessment be made as to whether clearer regulations can be put in place, for both Dutch and international students, for the awarding of financial compensation in cases of academic delay due to circumstances beyond the control of the student. This should be done in collaboration with student counsellors who often play a role in financial requests of this nature.