

Summer School for the Ombudspersons

Paul Herfs and Leo Klijn¹

Last July, the first comprehensive summer school for ombudspersons was held, following the example set by countries such as Canada and England, where a special training course for and about ombuds work already exists. The presence of ombudspersons and the ongoing professionalisation of this position in government organisations and businesses can be of tremendous value in reducing the number of conflicts. The time seems to be right, according to the organisers.²

The aim of this in-depth summer school was to highlight all the different aspects of the work an ombudsperson carries out. Attention was paid to different sectors (e.g. education, health care, government, and labour) and to different tools (advice, mediation, research, and own-initiative research) that are at the disposal of an ombudsperson. The methods used were a mix of knowledge transfer, skills training, and an introduction and deepening of the role, values, and effectiveness of the ombudsperson. All in all it was a symbiosis of knowledge, competence and attitude.

We began with a group of eleven participants with the aim of learning with and from each other about the ombuds work. The backgrounds of the participants were quite diverse, with positions ranging from (institutional) ombudspersons at a governmental, educational or health institution, to legal advisor for a welfare organisation, coach, mediator or lawyer.

A brief overview of the content

During the week, the participants, together with the guest speakers and organisers, reflected on the role of the ombudsperson. When discussing the vision and objectives of ombuds work, questions

1. Dr. P.G.P Herfs and mr. dr. L.P.M. Klijn are fellow organisers of the summer school.

2. The organisers were Carla Goosen (mediator and counsellor), Yvonne van der Vlugt (public administrator, independent advisor/researcher in the public domain, and former employee of the Office of the National Ombudsman), Leo Klijn (former lawyer, former ombudsperson at the Haagse Hogeschool, ombudsperson on demand, mediator and complaint investigator) and Paul Herfs (education specialist, researcher, former ombudsperson at Hogeschool Utrecht and counsellor at Utrecht University).

arose such as: which role does an ombudsperson have, in which way can the position of an ombudsperson contribute to the organisation, which values are essential to ombuds work, and for what kinds of problems can an ombudsperson be of added value?

Former National Ombudsman in the Netherlands Alex Brenninkmeijer presented us with three dimensions that he derived from Aristotle: 1. logos - the functioning in a management organisation, 2. pathos - the personal and non-business aspect, and 3. ethos – the ethical compass. According to Brenninkmeijer, these three functions are essential in and to the ombuds work. The core of the ombuds work lies in taking people seriously. The feedback that an ombudsperson gives is of critical significance to an organisation. Professor of Socio-Legal Studies Marc Hertogh philosophised about the main roles that an ombuds officer has: from being a supervisor to being a thorn in the side, from handling complaints on a more individual basis to doing their own research. Professor of Sports and Law Marjan Olfers discussed difficult dilemmas regarding problems and conflicts in sports. One topic of discussion was highly qualified trainers who are guilty of unwanted conduct. Can an ombudsperson investigate this at the behest of a sports federation? If so, what yields better results, an internal or external ombudsperson facility, and which powers go with this?

All the reflections gave enough food for thought about the added value of an ombudsperson post, the most effective working method, and the positioning inside or outside the organisation.

On the theme day about labour, Gerrard Boot, justice at the Amsterdam Court of Appeal, emphasised that preventing termination issues and de-escalating labour conflicts are important tasks for ombudspersons. Termination issues are incredibly costly and disruptive for both parties. At the same time, the presence of an ombudsperson cannot interfere with access to the judicial system. This is why Boot does not support making an ombudsperson facility required by law.

The speakers that were present from higher education institutions, Willem Hendrik Gispen, (former Rector Magnificus at Utrecht University) and Karel van Rosmalen (former chair of the executive board of Zuyd Hogeschool) emphasised the possible value of an ombudsperson at universities, universities of applied sciences, and university medical centres. But an ombudsperson can only be of real value there when the executive board grants authority to the ombudspersons position, when the ombudsperson expands that authority in his work, and when he gives preventive feedback to the organisation. Only then can the ombudsperson operate in an efficient manner.

From various stories from the speakers and participants it emerged that the position of an internal

ombudsperson can be a sensitive one. Through the reflections, the participants were able to obtain some behind-the-scenes insights from each other. This allowed them to gain more insight into the functioning of ombudsperson facilities in different contexts and into the influence of that context on the authority of an ombudsperson.

During the third day, Rob Behrens and Stans Goudsmit were invited as guest speakers. Behrens is the *Parliamentary and Health Service Ombudsman* in the United Kingdom. He emphasised the importance of training courses for ombudspersons. In these courses, attention should be paid to mourning (essential to complaints in health care), and shared development of vision and associated values such as independence, impartiality, and transparency. The authority of an ombudsperson depends on his own persuasiveness. Behrens also spoke about the 'loneliness' of the ombudsperson, and he advises ombudspersons to work together; exactly what we are doing at this summer school! Goudsmit talked about the problems that she perceives in her role as the children's ombudsperson of Rotterdam.

The summer school was brought to a close by the present National Ombudsman Reinier van Zutphen. He drew attention to the importance of making contact with citizens and reducing the distance between citizen and government. 'Give a voice particularly to those people who aren't always heard. The signals of the ombudspersons in the direction of government institutions are important learning moments.'

In addition to discussing these themes, we practised the necessary skills of the ombudsperson using case studies: mediation and reflection conversations, a Socratic dialogue, a discussion along the lines of Kouwenhoven's coaching matrix. We also discussed the 'behoorlijkheidswijzer' (guide to fairness) of the National Ombudsman and the fairness triangle of Canadian ombudspersons in higher education. And we paid attention to the way in which institutions can learn from complaints.

Responses

One participant wrote in a response about the summer school: "I've been inspired to continue with the ombuds work as conflicts and problems are solved from a point of view that is not merely legal. Ombuds work is of great importance in achieving a just solution." Another participant pointed out the intrinsic value of spending a week together and going more deeply into the issues. Following Behrens' appeal, the participants want to meet each other more often to benefit from having a sounding board and thus further professionalise the ombuds work.

Conclusion

In our opinion, we have taken the first steps with this summer school in further professionalising the craft of the ombudsperson. With the insights and skills that they gathered, the ombudspersons can widen their horizons, start having peer-to-peer coaching conversations with colleagues, and keep each other up to the mark in developing a broader vision on ombuds work.