

December 2021

2020-2021 Report

Ombudsperson

Erasmus University Rotterdam, December 2021

Foreword

I am pleased to present the second annual report of the ombudsperson (OP). This report concerns the period from 1 July 2020 through 30 June 2021. In this reporting year, the pilot came to an end on 1 June 2021. At the end of this period, an external evaluation of both the OP pilot and the confidential adviser pilot began. The evaluation was initiated by HR and is being carried out under HR's supervision by research firm Governance and Integrity. The final report is expected to follow at the end of 2021.

The year has largely been dominated by COVID-19. Nearly everyone is working or studying from home. Whether this will have certain unique effects on the role of the OP will perhaps be clearer in the third year, or at least the year in which COVID-19 no longer plays a dominant role. For me personally, it was definitely different. Almost all contact took place online. Despite this fact, contact was often still possible, even when emotions were complex or mediation was necessary, for example.

Administrative development is the second defining aspect in this second year. The appointment of the current Executive Board President (Ed Brinksma) seems to have created the necessary stability. With the addition of a new member (Ellen van Schoten) and the arrival of the new Rector Magnificus (Annelien Bredenoord) in October 2021, a powerful team is emerging. A strong Executive Board that is prepared to act is essential for the functioning of the OP. It also adds to our collective strength, with each member contributing from their own role and perspective, and increases the organisation's learning capacity by ensuring solid support where needed.

Another aspect worth mentioning is that the role of the OP will be continued within Erasmus University for the next five years. Following the evaluation, this will bring the OP position into a new phase with a new dynamic. Even after these two pilot years, certain aspects of the vision for the position, tasks and role of the OP will require further clarification.

Although the work of an OP often focuses on problems, and perhaps precisely because of this, I would like to make a proposal. Every year, organise a week with the theme: tell us about everything that's going well! Share successes and positive changes in response to obstacles and conflicts. Allow as many staff and students as possible to provide positive input. After all, so many things are also going very well. We can learn from this and pass that knowledge along. Take advantage of the good resources that are everywhere!

Edith Weijnen

EUR ombudsperson, December 2021

Table of Contents

1 Introduction	1
2 The pilot: action plan	2
2.1 Basic principles of the pilot	2
2.2 Activities, tasks and authorities	3
2.3 Careful coordination	3
2.4 Reporting.....	4
2.5 Practical preconditions	4
2.6 Developments	4
3 Evaluation of the pilot	5
3.1 Start of the year and announcement	5
3.2 Employment relationship and embedding	5
3.3 Experiences in the second pilot year	6
3.4 Internal contacts	7
3.5 Practical matters	9
3.6 Regulations	9
4 OP's annual report	11
4.1 Open reporting without barriers	11
4.2 Working method	12
4.3 Focus areas	13
4.3 Culture	14
4.4 Key figures	16
4.4.1 Figures for staff.....	16
4.4.2 Figures for students	20
5 Conclusions and recommendations	23
5.1 Preliminary conclusions of the pilot	23
5.2 Preliminary conclusions of the second year of ombudswork	24
5.3 Recommendations	26

1 Introduction

The ombudsperson (OP) for staff and students at Erasmus University Rotterdam (EUR) started on 1 June 2019. This position was created as a pilot. In the corresponding Action Plan, the position is described as ‘an independent party focused on an even safer work and study environment, who can invoke an active investigative role’.¹

The OP is part of the broad system of measures aimed at ensuring a safe work and study environment. EUR already has various internal officers within this system who support students and staff in this area, such as confidential advisers, staff welfare officers, study advisers, occupational physicians, diversity officers, student counsellors, HR business partners and student psychologists. The Action Plan states that in addition to the above, there is a need for a party that can act independently and that has a mandate to investigate. This is a shared wish of the Executive Board, the University Council and PV-EUROPA.

The pilot is part of a broader national initiative. Three other universities (Maastricht, Delft and Twente) have also appointed an OP. The pilot has attracted the attention of the VSNU as well. During collective labour agreement negotiations in the autumn of 2020, it was agreed that every university will appoint an OP.²

This report provides an account of the OP’s second year during the period of 1 July 2020 – 30 June 2021. The purpose of the report is twofold. It offers a general description of the pilot on the one hand, while also presenting an overview of the OP’s work during the period concerned. A comprehensive external evaluation of the two pilot years is taking place as well so that the pilot can be outlined in this report from the perspective of the OP. The annual report additionally reflects the results of a year of ombudswork. The report on the OP’s activities will be reissued annually and can continue to serve as a reference framework.

The structure of the report is as follows: Chapter 2 describes the basic principles of the pilot as set out in the Action Plan and supplemented with recent developments. Chapter 3 then explains how these basic principles have been implemented in practice within EUR in the form of a brief evaluation. Chapter 4 contains the report on the actual ombudswork. Chapter 5 outlines the preliminary conclusions and recommendations from the second year.

¹ HR Policy, Action Plan for EUR OP pilot, 17 September 2018.

² Collective Labour Agreement for Dutch Universities, 1 January 2020 to 1 January 2021. The structure of the ombudsperson position must be finalised at all universities by 1 July 2021.

2 The pilot: Action Plan

The pilot is described in the 2018 Action Plan.³ This chapter covers the current basic principles of the pilot (Section 2.1), activities, tasks and authorities of the OP (Section 2.2), the desire for careful coordination (Section 2.3), the report (Section 2.4) and the practical preconditions (Section 2.5). Lastly, several new developments are described (Section 2.6).

2.1 Basic principles of the pilot

A number of basic principles were formulated upon the appointment of the OP. The OP is independent, impartial and neutral in their role. For this reason, the OP is not subordinate to any authority in this position. The role is performed independently and impartially, with accountability to the Executive Board.

In the Action Plan, the run-up to the pilot is placed in a historical context. In this report, it will suffice to refer to the Action Plan in the section 'background and context'.⁴ In summary, this section mentions that PV-EUROPA and the University Council played an important role in the pilot's development, and that the Executive Board has welcomed and supported the ideas of both.

'Creating a safe work and study environment' is an important basic principle in the Action Plan. It is regarded as an essential precondition for good scientific research, a pleasant work environment and workload management. The OP can make an important contribution to a healthy and learning organisation by fostering this safe work and study environment, including by ensuring that complaints do not go unanswered and by clearly identifying matters that need to be addressed. The dossier to be handled should ideally transcend the individual level. This facilitates learning from mistakes so that ineffective and harmful patterns in the organisation can be recognised and overcome, according to the Action Plan.⁵ The OP pilot is part of a larger system aimed at creating a safe work and study environment. See Diagram 1 for an overview of this system.

Diagram 1. System of measures for a safe work and study environment



³ HR Policy, Action Plan for EUR OP pilot, 17 September 2018.

⁴ HR Policy, Action Plan for EUR OP pilot, 17 September 2018, p. 6.

⁵ HR Policy, Action Plan for EUR OP pilot, 17 September 2018, p. 9.

2.2 Activities, tasks and authorities

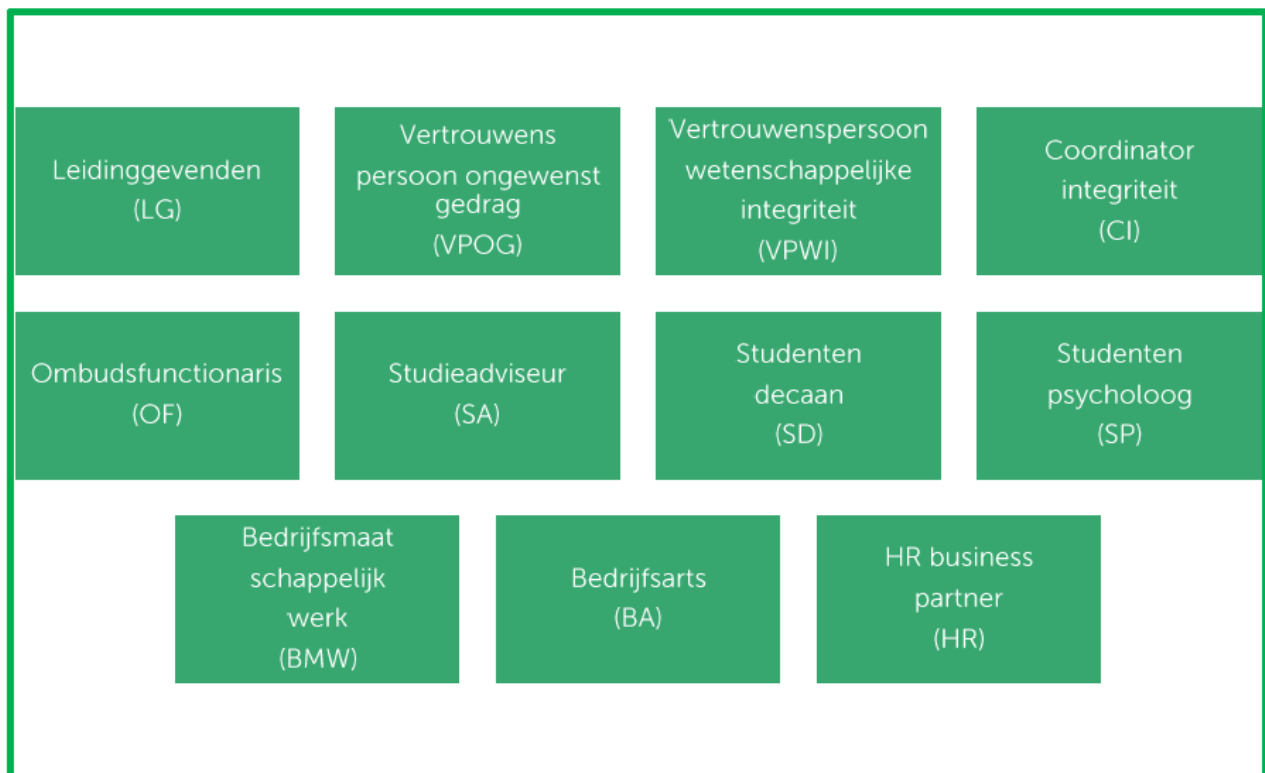
The Action Plan sets out various roles and tasks for the OP: adviser, referrer, facilitating moderator, mediator, complaints processor and investigator.⁶ As a rule, the OP can be involved in all matters in accordance with the basic principle of referral to existing support channels. The Action Plan stipulates that the confidential adviser is authorised to act in the event of issues relating to inappropriate behaviour. If the behaviour occurs repeatedly and/or is systematic in nature, the OP may conduct an investigation and prepare a recommendation. Any investigation will result in a report containing findings and recommendations, which is usually presented to the parties involved, the relevant faculty or service department and the Executive Board. The OP may conduct the investigation themselves or have it conducted under their direction. The OP may issue solicited and unsolicited advice. The Executive Board must provide a written response to any recommendations issued by the OP, clearly specifying whether the Executive Board will be taking action in response to the recommendations, and if so, what actions it will be taking. If a complaint concerns the Executive Board, the Supervisory Board will serve as the point of contact.

The OP is available to handle both individual and collective complaints. The OP investigates the background and factual circumstances of the case. They have access to all departments and information within the university without the involvement of third parties, as well as the authority to conduct an independent investigation at any time. Entities and staff members are obliged to provide the requested information and to allow inspection of documents, naturally with due observance of confidentiality and the relevant laws and regulations. The OP coordinates and collaborates with all other support staff as much as possible in order to jointly identify issues and patterns and discuss these carefully.

2.3 Careful coordination

Mutual coordination and collaboration between all parties involved in ensuring a safe work and study environment is crucial. Various actors are involved in this regard, as shown in Diagram 2.⁷

Diagram 2. Network for a safe work and study environment 4



⁶ HR Policy, Action Plan for EUR OP pilot, 17 September 2018, p. 12.

⁷ As included in: HR Policy, Action Plan for EUR OP pilot, 17 September 2018, p. 15.

Actors in the network must have fixed roles and know what each other is doing. However, the supporting and assisting parties should also be recognisable, so that students and staff themselves can find their way as effectively as possible.⁸ The HR Policy plays an important role in this regard, such as by setting up a platform for knowledge sharing and by organising two annual meetings. The HR Policy also promotes a uniform system for registering complaints.

Careful coordination must also take place in the event of complaints that fall under the Whistleblower Scheme. This is likely to include collaboration with confidential advisers during investigations and when issuing advice.

2.4 Reporting

According to the Action Plan, the OP must submit their annual report to the Executive Board, PV-EUROPA and the University Council. The present document is a rendition of that report. The progress of the pilot is reported quarterly to the Executive Board, University Council and PV-EUROPA.

2.5 Practical preconditions

In 2018, it was decided that the OP at EUR would have 0.3 FTE to fulfil this role. The position has since been increased to 0.74 FTE. Six hours have also been added for an assistant. In addition, there are funds for an office and office supplies, investigation expenses (budget of €80,000) and expenses for external evaluation (up to €20,000).

2.6 Developments

In the 2020 Collective Labour Agreement, it was decided that all universities must have an OP with effect from 1 July 2021. The appointments are currently in full swing. While some ombudspersons are available to help both staff and students, some universities are also appointing two different staff members for this purpose. The regulations vary among the universities as well. Some regulations are more complaints-oriented, while other regulations focus more on reports and place less of an emphasis on the complaints procedure.

In 2020, the agency SoFoKles completed a study that provided an overview of the latest developments.⁹ In summary, the results mainly show that all universities involved are still working out the tasks, role and structure of the OP position. The University Job Classification System (UFO) profile for the ombudsperson has since been adopted.¹⁰

⁸ See also the HR Policy, Action Plan for EUR OP pilot, 17 September 2018, p. 18-21.

⁹ SoFoKles (Sean Stevenson, Deborah van den Berg), *Evaluatie universitaire ombudsfunctie* [Evaluation of university ombudsperson role], The Hague, September 2020. Based on the final evaluation by SoFoKles, the VSNU has drawn up a national framework for the appointment of the university ombudsperson role.

¹⁰ UFO Job Categories Scale, version 10 (1 August 2021).

3 Evaluation of the pilot

This chapter describes the practice of the OP with respect to the pilot phase and thus the basic principles mentioned in Chapter 2. Topics covered include the positioning of the OP (Section 3.1), developments in the contractual relationship with the OP (Section 3.2), general experiences during the reporting year (Section 3.3), internal collaboration (Section 3.4), practical matters (Section 3.5) and, lastly, the regulations (Section 3.6).

3.1 Start of the year and announcement

No additional announcements or efforts were made in the second year to draw attention to the presence of the OP. From the perspective of students and staff who wish to make use of the OP, it seems desirable to reinforce communication about this resource. The distinction with respect to confidential advisers is often a challenge as well and requires repeated explanation in order to increase overall awareness of the distinguishing factors. This will help everyone understand whom they can contact for what, and will create better alignment between the parties' expectations. In essence, the most important difference between the two is that the OP functions independently and can conduct (or direct) independent investigations and act as a mediator.

3.2 Employment relationship and embedding

The OP has an appointment of 0.74 FTE. In view of the external evaluation in the second half of 2021, no changes are planned in the short term with respect to the number of hours or terms of employment.

During the second pilot year, a new permanent contract was concluded with HR and the President of the Executive Board as of 1 June 2021, with a review after five years in which the University Council and PV-EUROPA will also be involved. In terms of legal status, the decision was made to place the position within HR. The OP has indicated that this is not desirable and has expressed the preference to be placed in direct proximity to the Executive Board within the context of labour law. HR has indicated that the current placement is the most practical. The OP is in favour of arranging employment matters with the Executive Board directly and giving HR no active role in this. This is partly due to the fact that HR staff must also be able to contact the OP as a complainant or respondent. In the event of complaints about the Executive Board, the Supervisory Board will play a role.

The OP prefers an internal appointment to an external appointment, especially if the position will be fulfilled alone. Should an office be developed further away from EUR, an external positioning is possible, but then the role of the OP will also be more distanced in terms of a more detached assessment of EUR's practices and less mediation and direct influence.

The OP recommends that the embedding with regard to legal status should follow the definition of the role and tasks of the OP and that the latter should be determined first. Is it preferred to have a remote OP who performs a so-called due diligence check after all internal resources and support options have been utilised, or will the OP be involved in the analysis and/or resolution of reports at an earlier stage? This choice should be made not only based on the nature of the reporting party's request, but preferably also based on the effectiveness of the action that follows the report. In addition, connections must be made and effectively integrated and monitored within the organisation in order to learn from this and potentially make structural improvements.

The OP feels that a more internally available OP within EUR who is also a salaried employee still seems to best reflect reality. This is in light of the fact that the OP has only been at EUR for a few years, and there is definitely still some reluctance towards the OP and questions regarding the OP's role and tasks.

The regulations differ at the various universities, as do the approach and impact. Therefore, in the OP's opinion, for the time being it is best to have an OP that is not too far removed so that the development towards a learning organisation based on reports and observations from the OP can be adapted gradually and effectively transferred to the organisation. However, this choice does require an OP who is able to maintain a certain distance.

Furthermore, a second OP and/or support staff member is necessary at an academic level. This will provide reflection, the required cover (in case of absence or illness) and substantive support for the OP. The OP's role is intensive and requires dealing with difficult situations. Collegiality is an important factor in this context, which is currently lacking. The OP recognises that this additional staffing will also lead to higher costs. Nevertheless, the OP is convinced that the impact of positive conflict and identification of bottlenecks will more than make up for this. The costs of a labour dispute are also high, after all. Staff and students receiving guidance from the OP until aftercare is arranged has the added value that if a complainant or respondent unexpectedly has to leave EUR, they will still have a positive view of EUR as an ambassador.

The OP also concludes that it is desirable to provide assistance because this will yield efficiency gains in administrative and other tasks that, strictly speaking, do not have to be carried out by the OP. Several types of questions from students could also benefit from the support of an assistant. Support should preferably come from outside EUR, as employees often ask to keep a distance from colleagues. Incidentally, the OP has observed more internal support staff fulfilling a dual role and generally believes this should be avoided because it places too much strain on employees and sometimes puts them in an undesirable dilemma.

In the long term, the OP may perhaps operate in a more distanced manner, but this would truly entail a more detached profile and therefore a slightly different role and tasks. This might require a revised vision and different regulations. A joint office with other universities could also be a realistic option.

3.3 Experiences in the second pilot year

This section presents a few highlights from this year and observations that stood out.

Further integration within EUR has shown the OP a dynamic organisation with a great deal of ambition and talent, along with autonomous faculties that each have their own characteristics and challenges. The current Executive Board seems to be seeking a careful balance between influence where necessary (i.e. making connections and creating preconditions) and distance where possible (i.e. giving freedom).

In the second year, the OP has focused on further deepening contacts within EUR and recording observations, bottlenecks and core features of the organisation. An organisation like EUR is the sum of the staff and students who work and study there. Students have certainly struggled with online education and exams due to COVID-19. Staff have experienced higher workloads as a result. These are the most salient observations from this year.

The OP has been actively involved in the organisation. Apart from meetings regarding reports, the OP has also held dozens of conversations with staff, which have increased the OP's insight into the organisation. The OP additionally recommends devoting more attention to raising students' awareness of the OP in the coming year. The positioning of medical students and students/staff within the various affiliated companies and partnerships also merits continued attention and concretisation. More clarity is needed regarding which facilities within EUR they can and cannot access.

The OP has also taken a closer look at the work of the various committees. These observations should be continued in greater depth. Some areas for improvement can already be identified, such as processing time, organisation-effective processing (less legal and more organisation-oriented), and attention to aftercare and correct processing. There is also too large of a gap between the confidential advisers who initially receive reports of inappropriate behaviour and the committee that rules on these matters. Many cases do not reach the committee due to the tremendous impact this has on the complainant and the risk that the complaint will be declared unfounded once it has been submitted. As a result, cases that are not committee-worthy are passed on to the OP because the confidential advisers are not authorised to handle them and, because the confidential advisers have provided assistance to the complainant or respondent, they are no longer in a position to mediate. The OP then assumes an active role to break the deadlock. These cases are not always referred to as inappropriate behaviour by the OP, but may be described using a different term depending on the nature of the complaint (such as 'culture' or 'labour dispute').

The possibilities to submit complaints are increasing throughout society. In turn, malpractices and bottlenecks are emerging from the shadows and seeing the necessary light. But alertness is needed as well. Out of concern (justified or otherwise), some users will make unlimited use of all options for complaints processing and support. In these cases it is important to be open to alternative dispute resolution methods (partly with a view to cost reduction) or to find common ground in order to halt certain developments and get the parties out of the deadlock.

The working relationship with the Executive Board is better compared to the first year, and the joint search for the right tasks and role for the OP has definitely taken a serious step forward. However, in the OP's view, there is still some searching, shuffling and occasionally a step backward. The OP also realises that a new role like this one requires additional time from the organisation and joint trailblazing. Good progress has been made in this regard with the current Executive Board, and in particular the President. The Executive Board is accessible and open where necessary. The recommendation for the Executive Board is to actively report back to the OP on the progress of (complex) cases in which the OP is involved so that both parties can coordinate their work.

3.4 Internal contacts

Deeper connections have formed in the second year because the organisation has become more familiar to the OP. At the initiative of the OP, personal conversations have been held with directors and deans. This has increased the OP's ability to initiate solutions in certain situations.

The Executive Board has largely stabilised. A more permanent team will be in place during the 2021-2022 academic year, as the current interim rector is set to be replaced in October 2021. The relationship with the Executive Board has become more robust thanks to the arrival of the new president. To a certain extent, there has also been a shift in strong involvement with the position from HR (as project leader of the pilot) to the Board secretary. Those meetings were considered valuable because the Board secretary has an adequate overview and provides insight into various administrative and organisational aspects within EUR.

Numerous meetings take place. The Executive Board President and the OP have a meeting every four to six weeks in which the OP presents the agenda and brings matters to the Executive Board's attention. These include patterns within EUR as a whole, as well as specific cases if the reporting party has indicated a desire for this to be discussed. The chair of the University Council and PV-EUROPA are given regular updates as well. These entities have shared constructive feedback and positive appreciation for the OP's presence. PV-EUROPA sometimes wonders whether the visibility of the OP ought to be increased, for example through a larger and more broadly publicised investigation. Because the OP has seen no reason for such a large-scale investigation thus far, other avenues have been sought, including collaborating with the Executive Board to present a complex and fully resolved case as an example. One case in particular presented itself for this purpose and lessons have certainly been learned.

A number of discussions have also been held with the President of the Supervisory Board. In addition, regular meetings are held with HR at both the executive and management level.

All actors in the care system are now brought together in a broad consultation as well. The search for connections and coordination goes on, but it is certainly desirable to continue these efforts. The OP has provided input regarding the agenda and cases. Working groups are also created as needed, such as those focusing on the balance between confidentiality versus transparency.

Coordination with the confidential advisers is constructive. Sometimes it takes a while to find the best place to handle a case. The distinction between confidential advisers and the OP remains a point for attention. For the OP and confidential advisers the distinction is clear, but this does not always seem to be the case for reporting parties and others involved.

The OP also wonders whether the network of confidential advisers is too large. There needs to be a balance between accessibility for the reporting party on the one hand, and effective joint identification of patterns when resolving bottlenecks on the other. The latter is perhaps an argument for a smaller and more tightly knit team. A distinction can also be made regarding the nature of the activities in these roles.

While confidential advisers do not mediate, they do sometimes hold discussions with other parties involved, such as managers, to change the dynamic. The OP sometimes assumes the role of adviser without anyone else being involved, which can in turn comprise the role of confidential adviser. People making reports sometimes prefer to contact or stick with the OP because they feel safer in the process when things get tense, for example with respect to labour law. This grey area is not insurmountable, since what matters is whether the reporting party can proceed effectively and the bottleneck can be resolved. However, awareness in the grey area must remain. The point of reference is the dividing line, and any deviations from this should be and remain an exception.

Regular and constructive meetings are also held with the diversity officer. Cases and patterns are jointly examined and assessed in terms of the need for change and action.

The OP has additionally participated in an intensive training on 'concerning behaviour' in broad collaboration with other internal staff who are involved in malpractices, complaints, disputes and concerning behaviour. This provided further clarification of the various roles and input of the parties involved. It is also clear that efforts are ongoing to get a good overview of everyone's input. Who does what, with what expectations and in coordination with whom? The expectation is that there will be a follow-up to this process and it will ultimately result in an adequate reporting system between as many actors as possible.

3.5 Practical matters

The OP was initially able to spend two half-days at a location in the Hatta Building. The OP quickly found this to be an unpleasant, impersonal space. The OP expects a room that is more suitable. Until then, appointments will be held at external locations and, this year, mostly online.

For reasons of strict confidentiality and with EUR's permission, the OP has chosen to use a personal email address outside the EUR's ICT system. Agreements have been made about this with the Executive Board, but there is room for improvement specifically with regard to the costs incurred by the OP and responsibility for the choice. It places a burden on the OP's shoulders as well. International students and staff in particular often appreciate an external email address. It is also not desirable for an underground system to arise if the decision were made to use an EUR account. The OP additionally uses a personal mobile number and personal computer. Due to the volume of cases and given the fact that a number of administrative activities, referrals, confidential registration of cases and creation of overviews could be done by someone other than the OP, the decision was made with HR in November 2019 to add six hours of weekly support. This began in the second half of 2020. This support has proven to be helpful and valuable, all the more so because the OP's position is quite solitary and the OP is constantly in tense situations. It is also useful to be able to chat with an external colleague who is bound by a duty of confidentiality. The OP has additionally received paid external feedback and completed a one-year course titled 'Change in organisations'.

The registration of cases is an important point for attention as well. The OP has personally set up a system for this purpose, partly in consultation with OPs from other institutions. In consultation with all parties involved, such as the Executive Board, HR, the University Council, PV-EUROPA and other internal support entities, the system must be further tailored to the actual need for information and registration. This is desirable with a view to concrete achievement of quantitative and qualitative objectives in the context of creating a safe study and work environment.

Furthermore, it is recommended to grant the OP an annual budget for feedback and/or coaching because, among other reasons, the solitary nature of the position requires that self-reflection skills be kept up to par. However, it may also be advisable to gather information in the event of complex cases.

The OP has not used any of the investigation budget. All necessary investigations have been personally carried out by the OP.

3.6 Regulations

When the OP took office, a set of regulations had been adopted and thus the established procedure for the OP was in place. These regulations had to be readopted in 2020, which was done with virtually no changes.

In light of the external evaluation, no further adjustments have been made to the regulations. The following recommendations are being made based on experience and the vision on the independence of the OP so that these can be included in the revised version:

- 1) Distinguish the position of the OP from the rights and responsibilities of the reporting party. This could be done by drawing up a charter that describes the position of the OP and creating regulations that explain the relationship with the reporting party;¹¹
- 2) Remove as many articles as possible that relate to the role of the complaints officer. This role is actually superfluous because the complaints handling process is sufficiently organised internally. Clearly distinguish between the role of complaints officer and that of investigator. At the moment these seem to overlap in the regulations;
- 3) Use the term 'report' (and not 'complaint'; see point 2);
- 4) Do not grant the requesting party the right to an investigation, but leave this entirely up to the discretion of the OP;
- 5) Add a clear provision regarding complaints about the OP by referring reporting parties to the national ombudsman if the procedure has not been followed carefully; there is no legal remedy against findings; avoid an internal assessment of the OP because this undermines impartiality;
- 6) Add clear articles regarding data management, confidentiality and statutory retention requirements;
- 7) The position of medical students is unclear; in which cases should they turn to EMC or EUR?

In all cases, impartiality and confidentiality must be optimally guaranteed. Alignment with other (internal) regulations should be analysed as well. Certain regulations must devote explicit attention to the OP (by excluding the OP or granting the OP explicit authorities).

The OP has been involved in the development of the new ICT regulations. Certain safeguards have been built in so that viewing emails of staff and confidential advisers is only possible under special circumstances and after external advice has been obtained. 11

¹¹ See the Twente model, in which a charter has been drawn up for the legal position of the OP along with separate regulations for the reporting party.

4 OP's annual report

This chapter contains the OP's annual report. It begins with a quantitative overview of facts and a preliminary interpretation with recommendations. Section 4.1 first provides a general introduction regarding access to the OP. This is followed by the working method (Section 4.2) and selected focus areas (Section 4.3). A separate section focuses on the culture (Section 4.4). The chapter concludes by presenting an overview of the figures (Section 4.5), including details regarding staff (Section 4.5.1) followed by students (Section 4.5.2).

4.1 Open reporting without barriers

In the second year, it was once again decided not to restrict access to the OP, but to leave it to the OP to refer the reporting party if necessary or handle the issue directly if referral was not possible. It was another pilot year, after all, and therefore a good opportunity to see which complaints and reports would be made this year. This approach also provides insight into the handling of reports by other actors and thus an overview of everyone's involvement in certain cases.

The themes are very diverse and by no means solely concern inappropriate behaviour (as is sometimes assumed around campus), such as bullying and discrimination. Strictly speaking, these reports are also initially submitted to the confidential adviser. In addition, reports often concern procedural integrity, proper conduct, friction in interpersonal interactions and financial issues. COVID-19 and high workloads have also had a noticeable impact. Tensions can escalate more quickly during the pandemic due to the lack of opportunities for informal interaction. Workloads and work pressure leave no time to deal with extraneous issues.

The OP's role of referrer poses a few dilemmas. Some cases of inappropriate behaviour are referred back to or remain with the OP (see also Section 3.3) because referral to a committee is too large and uncertain a step and the organisation is not (yet) able to offer a solution. As a result, there is still an overall need for mediation or advice. Furthermore, because the OP occasionally seems to be a safe haven for the reporting party, referral is not always possible.

PhD students also have difficulty getting help in very complex strategic situations, for instance in relation to their supervisor or the faculty. This requires serious intervention and the OP must keep the matter to him/herself when offering guidance. There are not many cases like this, but if things go wrong the consequences for the PhD student are extensive and severe. The effects often have a serious impact on the student's personal life as well.

There are also issues of overlap and multiple use within the network of actors. A small number those who submit reports do so everywhere and pursue all possible options out of deep (initially serious) discontent. In these cases it is not always possible to find a way forward and resolve the matter through a different approach (see also Section 3.3). The result is long-standing cases that demand a great deal of energy from all those involved.

The OP notes that not all well-meaning and widely present entities are equally effective, or at the very least the expectations regarding their influence are sometimes too high. They are not always adequately equipped for the task. Further coordination and synchronisation of problem areas and issues remains necessary. In this case (as with Professional Services), individual roles are sometimes likely to expand and it is also difficult to get in touch with each other, partly due to confidentiality reasons. This can additionally hinder the collaboration required to jointly identify patterns. Both major and minor issues are discussed and recognised in meetings, but joint action is more challenging. As a result, certain cases take too long to handle and place a considerable burden on many people and resources in the meantime. A joint (anonymised) information storage system and standardised terminology would definitely help to provide insight into undesirable patterns and efficiency, since multiple actors deal with the same person and essentially the same problem in practice.

In other words, although many actors are involved, there are still gaps in the network. The number of people involved sometimes seems too large in relation to the effectiveness and effort of each support staff

member. HR has been working hard for some time to identify the where deficits lie and where there might be too many actors or initiatives. The answer could be a very strong joint coordinating role for HR and E&S, at the explicit behest of the Executive Board, provided that this group is capable of mutual coordination in practice. Line management (including HR and E&S) should engage in self-reflection as well. The network of actors is complementary to the organisation itself. Managers and direct support services bear primarily responsibility for the organisation.

4.2 Working method

The previous report provided a detailed summary of the OP's working method. Below is a brief summary in the form of a (duplicated) overview.

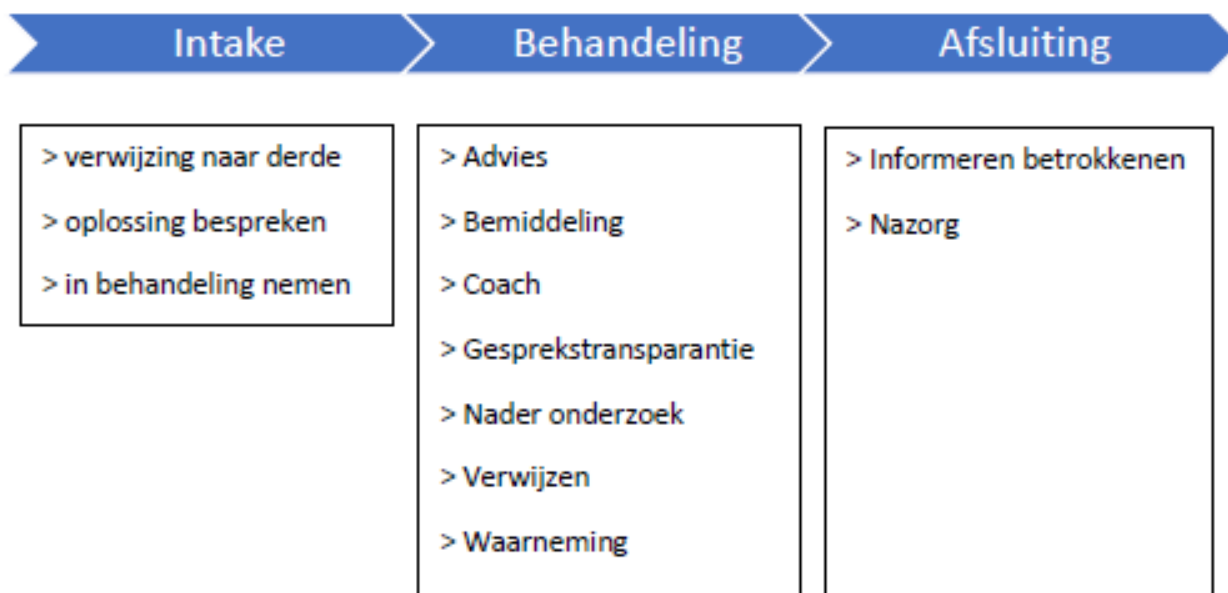
Following the report, the OP makes an appointment with the reporting party. An appointment is usually scheduled by email, and an online or in-person meeting is then held on campus or elsewhere. Students can often receive further assistance by email or over the phone.

During the intake interview, the OP presents a number of scenarios. Depending on the content of the report, the OP proceeds to offer advice, mediation, coaching (referred to in the figures as 'advice') or a referral, or monitors the situation for the purpose of transparency or observation. In all cases, an investigation of the facts is required to a greater or lesser extent. If a formal investigation is required resulting a recommendation to the Executive Board, this is also referred to as such.

If the case has been resolved after processing, it is closed by informing those directly involved and providing aftercare if desired.

The above working method describes how a specific report is handled. The OP also identifies general bottlenecks, patterns and structural points for improvement and brings these to the attention of the Executive Board and others who are directly involved.

Diagram 3. Working method of OP



This annual report no longer distinguishes between complaints and reports. Everything is referred to as a report.

4.3 Focus areas

The OP has once again taken on various roles this year, including those of adviser, facilitating moderator, mediator and investigator. The role of complaints handler did not apply, although reporting parties sometimes asked the OP for an opinion on an issue. The OP believes the role of complaints handler also causes confusion because this task is difficult to distinguish from a formal investigation process as described in the regulations. The recommendation is to remove this role from the regulations. As far as is known, complaints are handled almost entirely internally by committees.

It should then be up to the OP to decide whether to take a definitive position on the integrity (or lack thereof) of the conduct and/or procedure that is the subject of the report (investigative role). At the moment it is still possible for the reporting party to request an investigation. This part of the regulations will have to be changed in order to reflect reality.

In summary, the above means removing the word 'complaint' from the regulations, eliminating the role of complaints handler and stipulating that the OP may, at the OP's own discretion and assessment, launch an investigation in response to one or more reports.

The larger connection between reports and discussions still plays a role, and the OP has made more in-depth observations as time has gone on. This is described more specifically in Section 4.4.

The OP has frequently taken on the role of adviser and moderator/mediator. All sorts of nuances are involved in this regard. Many staff cases also require an investigation to identify viewpoints and facts. No formal investigations have been carried out by request.

On one occasion, the Executive Board refused to provide information to the OP for confidentiality reasons. The OP then discovered that another department had investigated the matter. The refusal as such is nevertheless relevant. In this case, the OP's approach is: once is (potentially) an incident, twice is worth noting and three times is an undesirable pattern. The expectation is that there will be more clarity in the future regarding which documents the OP can or cannot access.

Managers at all levels seldom demonstrate the will to learn from situations. In the OP's opinion, this is due to a tendency to marginalise problems that fall outside one's immediate work environment. Sometimes a coach is sought after an incident, but then the learning pathway is actually placed outside the purview of the organisation. Supposed reputational damage seems to be a factor as well. However, this phenomenon is likely also the result of work pressure and COVID-19, which have already caused plenty of challenges outside people's comfort zone, leaving less room to learn from situations.

The OP has handled numerous cases in which a creative approach was taken to change the dynamic of the conflict. In some of these cases, other supporting parties or HR staff were involved. Still, it is often difficult for these parties to have an active, effective role in which all those involved in the conflict end up on a better path or at least get out of the deadlock. In conflicts between managers and employees, employees in need often view the role of HR staff as automatically supportive of the manager and much less as a safe haven for the employee. HR is therefore not considered much of a safe place for staff in times of trouble. Confidential advisers and the OP are increasingly taking over that role. HR's role involves more support for the organisation and less (broad) support for the

individual. This is in line with the national trend at other large organisations and companies. Awareness of this trend and how to change it if desired should remain a topic of discussion.

4.3 Culture

In the previous report, the culture within EUR was mentioned as an aspect that deserves special attention. First of all, it is difficult to speak of one culture with so many different faculties, each of which has its own dynamics, characteristics and challenges. The OP serves EUR as a whole and is in direct contact with the Executive Board. However, the OP is accountable to the Executive Board without being subordinate to it. In addition, the Executive Board acts as the connecting body within EUR as an organisation while also serving as its external administrative representative. This means the OP also bases its reasoning on this whole, albeit with inherent limitations. Not all faculties will identify with all of the OP's observations. With this in mind, the following section will first discuss that larger whole, in particular the effectiveness that transcends all faculties.

The OP notes that decision-making processes are unclear and sluggish at times, and quite often fail to live up to the Rotterdam business image of 'actions speak louder than words' and 'persistence'. The structure of the university is an important aspect in this regard. Formal, informal and even statutory powers are intertwined. There is no clear hierarchical structure. The pattern of unclear power structures can typically be seen in the professor-dean and dean-Executive Board relationships, as well as in the relationship between directors and deans.

Although the Executive Board is the highest level of influence for the OP, it does not always use its influence. This could be because the influence simply is not there in that case, or because a certain practice or intervention is undesirable due to sensitivity with respect to process, people or timing. Workloads are also high at the level of the Executive Board. Cases take a great deal of (or even too much) time at this level, and changing patterns is time-consuming as well. The OP requires extra attention, time and a different manner of influence. There is still a long way to go in this regard, which is not so much related to the OP's influence on the learning organisation alone, but also to the influence of the Executive Board itself on the university as a whole.

At various faculties, education still seems to be subordinate to research in decision-making processes. Ongoing attention must be devoted to this because it can create nearly unacceptable tensions in certain teaching groups, such as among tutors and their supervisors. This is an issue at ESSB, among other places.

The OP has delved into financial matters in response to various issues. These ranged from legal cases to distribution of funds among PhD students, as well as settlements relating to research funding and reimbursements. For reasons of integrity, these matters are not discussed further in this report. However, the topic certainly requires the attention of the Executive Board, as drafting clear policies and making transparent choices in specific areas could help to ensure legal certainty and preservation of resources. Sometimes it is also a matter of finding the space to try other types of conflict resolution using an objective approach. In this case as well, there is the consideration of what is possible at faculty level and what is up to the Executive Board in terms of decisions and influence.

A number of faculties have experienced significant tensions due to certain major events in recent years. Those tensions are still visibly present and still deserve attention. There also seems to be a group of staff who prefer to leave things alone. It is important to continue to understand the group dynamic here and to assess what is needed for peace in the workplace and restoration of mutual trust. This mainly applies to ESHCC, ESHPM and EUC.

Professional Services (including the General Management Directorate (ABD)) are finding their place through all this and making great efforts to provide the necessary support. They are also working hard to provide the necessary support to those in the academic and educational environment. Positioning seems to be an ongoing challenge in this area as well. Some aspects of their decision-making influence on the faculties could be strengthened. This would help these services to be more motivated, more connected to the rest of the network and more on an equal level. It would also reduce the risk of them becoming self-contained and only focusing on strengthening their own domain in order to survive. Role stability is essential, but it must be in connection with the organisation. This challenge also affects staff working directly around the Executive Board.

Improving decision-making processes is an important point for attention in this case as well. These processes are often too closely linked to the initiative of a few people (and do not always occur in the logical place), after which non-transparent consultation takes place, unclear plans are made, and the implementation sometimes stagnates or even fades into the background unnoticed. The OP recommends conducting a structured investigation into this matter and issuing recommendations for improvement, starting with the decision-making cycle on the part of the Executive Board and in relation to Professional Services and the faculties. Examples of decisions that have taken too long to be made include amending the ICT regulations after the mailboxes of confidential advisers were accessed in 2019, setting up a reporting centre for complaints and disputes (and all kinds of related processes), developing a concrete action plan for students with a disability, and devoting extensive attention to international students as well as the creation of a central policy for emeritus staff.

Once again, the OP emphasises that these backlogs are the result of changing members of the Executive Board. Although the current team seems to provide a firmer foundation in this regard, it is still facing plenty of challenges and will have to break away from patterns that are familiar but not always effective.

4.4 Key figures

This section takes a closer look at the figures from this year. A distinction is made in the registration of reports by staff (Section 4.4.1) and students (Section 4.4.2).

In the past year, the OP has held more than 200 meetings with a wide range of parties. These ranged from discussions about reports to meetings for the purpose of hearing both sides, conducting investigations and learning more about relevant actors or entities. An overview was kept of the specific reports with certain characteristics.

The interpretation of the numbers always requires restraint on the part of the reader. Numbers give a picture of reality, but no more than that. As far as the OP is concerned, the number should mainly be seen as a sign of something that requires attention. The quantity is a sign, but just a single malpractice can be a major embarrassment for the organisation, leading to unsatisfied staff or students and possibly even harming people. In light of the objective (Section 2.1), this insight should contribute to 'creating a safe work and study environment' and thus serve as an important condition for sound scientific research, a pleasant work atmosphere and workload management.

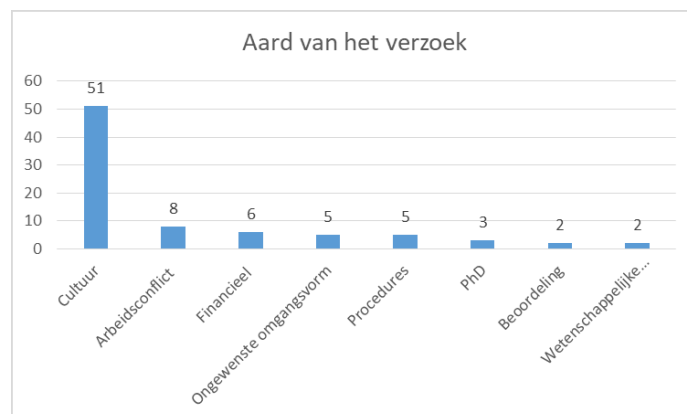
4.4.1 Figures for staff

Eighty-two new reports were made by staff last year. This is less than the year before (122). Possible explanations include: COVID-19, less information shared about the OP and/or an influx during the first year of a few long-standing cases that had yet to be addressed. Comparison with other universities and universities of applied sciences (based on conversations around campus) gives the impression that the number of reports there is also slightly lower than the year before.

Below are a series of tables showing the nature of the reports, the origin by unit, the nature of the OP's activities and the hours spent on each request. The following diagrams present the same numbers from highest to lowest.

Table 1. Nature of request

Labour dispute	8
Assessment	2
Culture	51
Financial	6
Inappropriate behaviour	5
PhD	3
Procedures	5
Academic integrity	2



The OP continues to handle many so-called cultural issues. This has already been discussed in further detail in Section 4.3. More generally, the concept of culture can be described as the way people interact with each other. In the context of this report, it mainly refers to interactions where a colleague or process has negatively affected an employee. The employee then refers to patterns

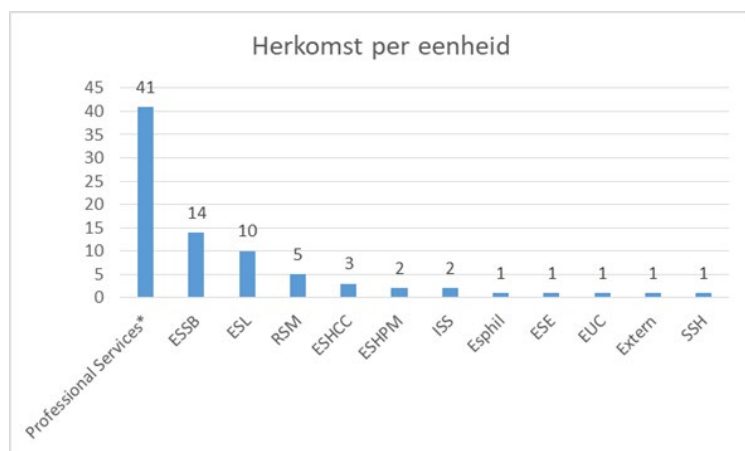
rather than an incident, or the OP sees a pattern. Such patterns particularly concern the conduct of managers, unclear collaboration and responsibilities during implementation, confusing procedures, and non-streamlined decision-making that causes feelings of unrest and loss of control over one's own processes. Areas of tension are also quickly marginalised or avoided. If a situation arises that deviates from the norm and does not directly contribute to the scientific or academic product, there is a tendency to do nothing or to minimise the problem as quickly as possible. Because no reflection occurs in this case, the necessary creativity and learning curiosity cannot take place either.

Procedures are another source of reports. Such reports involve questions about what is correct in certain cases, and what can be expected of oneself, colleagues or the organisation.

The following table shows the organisational units where the reports mainly occurred.

Table 2. Origin by unit

ESE	1
ESHCC	3
ESHPM	2
ESL	10
ESPhil	1
ESSB	14
EUC	1
External	1
ISS	2
Professional Services*	41
RSM	5
SSH	1



*includes ABD

Regarding Professional Services (which does not include support staff at faculties), everything necessary has already been mentioned. Certain areas have a greater need for control and streamlining with respect to making integrated decisions. This need does not relate to the departments themselves, but rather to the collaboration with others outside one's own domain. In addition, the organisation is occasionally perceived as a cold environment when it comes to interpersonal interactions. This does not apply to the microsystems, which can be warm and welcoming in their own way, but rather to the larger connections. Everyone prefers to go their own way, and is firmly set on this in principle, but the large distances sometimes make mutual collaboration difficult or impossible.

ESSB is clearly dealing with bottlenecks. There are tensions relating to managers. Education has also come under too much pressure. Furthermore, there are old cases that require energy from too many people and thus demand an almost intolerable amount of effort. The OP believes the bottlenecks at ESSB are an urgent priority, in the sense that fundamental improvement in 2021-2022 is crucial. Various improvement initiatives are already underway, but there is still a long way to go.

ESL has still had a relatively high number of similar reports in the first two years. This is undoubtedly due to the size of the faculty and the changes that have been introduced. The reports mainly concern culture and work-related frictions. The leadership at ESL has recently put forth a certain vision. However, this has also caused some pushback and serious dissatisfaction when someone falls outside that vision and approach. Because ESL will be transferring its HR tasks to the central HR department (expected 2022), this may further streamline the way certain decisions are implemented with respect

to staff. The OP additionally sees reason to consider a evaluative study at ESL to assess whether staff's needs are adequately synchronised with the current leadership and culture.

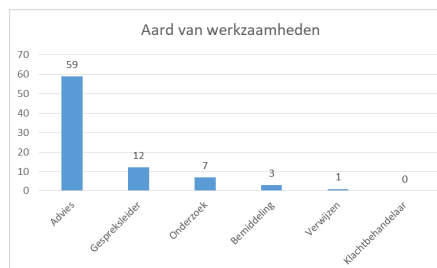
EUC, ESHCC and ESHPM do not seem to be out of the woods yet following a few major events in recent years. The OP has held several meetings in which these events were discussed. It remains necessary to find a good balance between moving forward without constantly focusing on the past, and ensuring that staff can discuss any matters that are still troubling them. Various initiatives are already underway in this area as well, but it is important to continue monitoring the situation closely.

At other faculties, there are no specific issues to report based on complaints or reports. However, the fact that almost no one has made a report at these faculties does not necessarily mean there are no tensions or challenges that require attention. There are also faculties that seem to have a somewhat self-contained system that hinders external communication. These faculties do not have a culture of making complaints about certain matters or workloads, but speaking to staff (by contacting them as the OP) reveals that there are indeed issues. Workloads and general pressure to perform are regularly mentioned by some staff, along with a lack of empathy and shortcomings in collaboration. Staff also express pride in their faculty when it comes to working hard, prestige and ambitions. This same sentiment is present among staff at RSM, ESE and ESL.

The OP additionally recommends seeking out mutual connections. For example, EUC and ISS could learn a lot from each other given their similarly multicultural student populations.

Table 3 Nature of activities

Advice	59
Mediation	3
Moderator	12
Complaints handler	0
Investigation	7
Referral	1



The OP's activities still largely consist of advisory processes. Reporting parties are often able to sort things out themselves. A contributing factor in this regard is that people do not always want others to know about the issue. The OP then takes on the role of (co-)monitor of the process. The question is whether this role fundamentally falls under the OP's tasks. The fact is that these reporting parties often have nowhere else to go. The manager is not perceived as a safe contact person, nor is the relevant HR staff member. Confidential advisers are deemed to have too little influence when it comes down to it. The system around this is complex and there is really no other support available. The OP therefore supports the employee and observes the boundaries of integrity. This is definitely another one of the OP's tasks that should be critically examined in the years ahead. If the decision is made to no longer assign this task to the OP, the question of whom staff can turn to for support in times of difficulty must be addressed. While managers are supported by HR, employees have to find support themselves and are therefore basically alone in the line.

A number of tough and lengthy mediations have taken place. There were also cases in which the role of moderator was intensive. All cases seem to have proceeded satisfactorily with regard to resolving the bottleneck. In terms of learning, there has been virtually no momentum. There is hardly any time or interest in this respect. The OP has to insist on this repeatedly and in a few cases interest arises. In the majority of cases, those involved prefer to get right back to business as usual and are mostly relieved that the incident has been resolved.

In all cases, some degree of investigation into the facts is carried out. Seven cases were examined in greater depth. This resulted in a concrete recommendation in a few cases, while others were still pending at the end of the year. Because advice has a broader scope in this respect, in many cases the recommendation was applicable to several parties other than just the person who made the report.

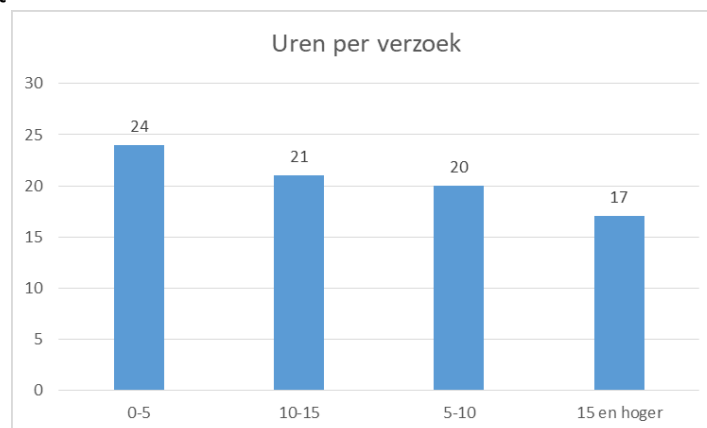
The fact that a referral is mentioned so explicitly has to do with the seriousness of the case. Not all of the OP's roles can be distinguished, as they also overlap during the handling of a report. For example, the term 'advice' could also mean that a referral was made but the OP still has a role, possibly at a distance. The referral that has been explicitly mentioned deserves this designation because the referral process was difficult and took many hours of researching on the OP's part to refer the case to the right agency.

Furthermore, a number of cases were still pending: 26 in total. Some of these were intensive in nature (12 total).

Many cases can be dealt with relatively efficiently. Contact is then limited to a concrete recommendation that enables the reporting party to move forward (for the time being). A few cases were intensive (requiring more than 15 hours). These concerned an individual employee who kept coming back, more complex investigations or more complex mediation/support involving multiple people.

Table 4. Hours per request

0-5	24
5-10	20
10-15	21
15 or more	17



4.4.2 Figures for students

In total, 31 students submitted a report. This figure still seems relatively low. There is the impression that Professional Service E&S provides a great deal of support to students (and occasionally seems to be overloaded) and students sometimes contact the legal desk as well.

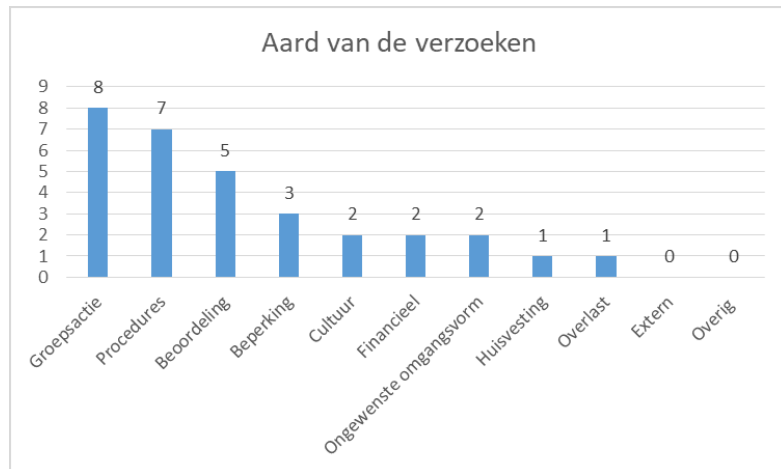
Students' knowledge regarding the OP still seems limited. It is strongly recommended to gauge students' awareness of the OP. Staff generally feel more unsafe when they turn to the OP. Students are more often overwhelmed with their studies and want concrete and targeted solutions, preferably in the (very) short term. The structural nature of this issue can only be seen in assessments, but the question is very specific in that context as well. On occasion it seemed beneficial for the OP to put pressure on the process. In these cases, the response ultimately came if things were taking too long. Like last year, the requests are specific.

The tables below do not reveal any factors of concern. However, it is important to note that no further efforts have been made to develop an action plan and communication regarding students with disabilities. In 2020, the OP was provided with a good overview of all students with possible

disabilities. Since then, follow-up action has yet to be taken in terms of concrete agreements and implementation. The OP recommends that this issue as well as international staff and students remain high-priority agenda items.

Table 5. Nature of request

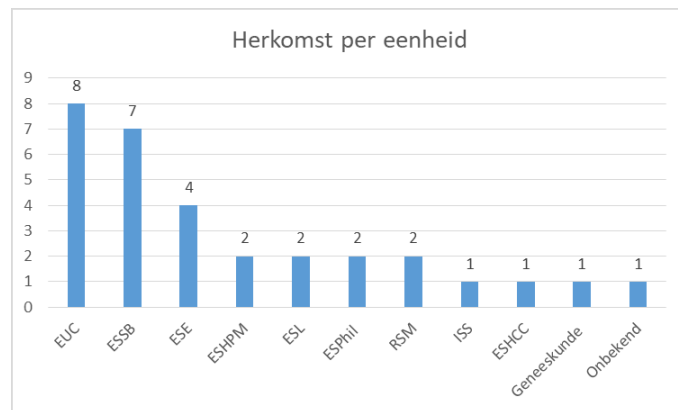
Assessment	5
Disability	3
Culture	2
External	0
Financial	2
Collective action	8
Accommodation	1
Inappropriate behaviour	2
Other	0
Nuisance	1
Procedures	7



No particular conclusions can be drawn from the table below regarding structural patterns or faculties where more complaints seem to occur than at others. ESSB and EUC do stand out a bit, however, and this is related to what was previously mentioned about the faculty (pressure on teaching staff and impactful events).

Table 6. Origin by unit

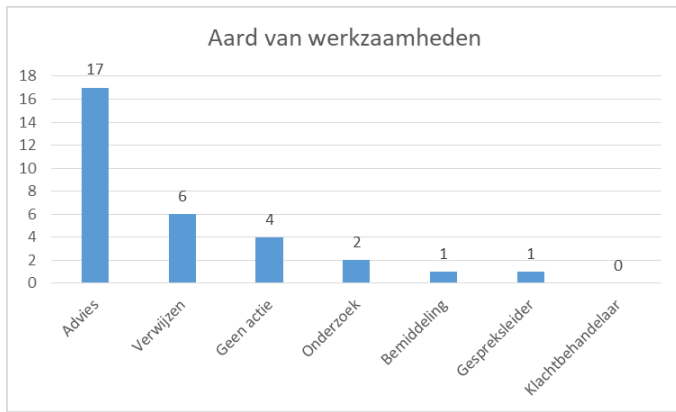
ESE	4
ESHCC	1
ESHPM	2
ESL	2
ESPhil	2
ESSB	7
EUC	8
Medicine	1
ISS	1
Unknown	1
RSM	2



The student reports included a complex referral case that was also time-consuming. This case brought to light many internal issues, however, such as the fact that making a referral is not easy, internal coordination sometimes requires a lot of effort, and many parties were involved who also had a (different) role in the procedures later on.

Table 7. Nature of activities

Advice	17
Mediation	1
No action	4
Moderator	1
Complaints handler	0
Investigation	2
Referral	6



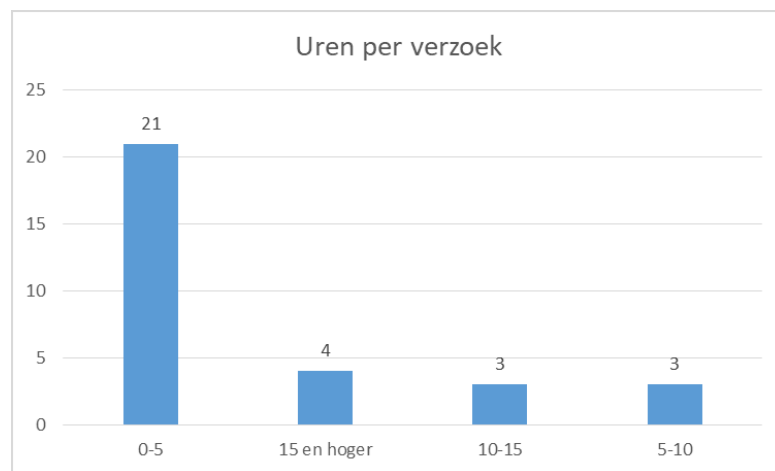
Advice included providing substantive assistance or (partial) referral. Mediation was intensive (collective action) and provided a great deal of insight into processes. On four occasions, more than 15 hours were spent on a case. The most important pattern in all these cases is that the processes between the student and the organisation had stalled, meaning the organisation no longer had any capacity to solve the problem. The involvement of the OP then helps to speed things up.

There have been a number of specific COVID-related cases that were quite time-consuming. Among other things, the new examination protocol with a second camera led to multiple reports. The OP decided to closely monitor the process without personally intervening as long as there was no obvious breach of integrity. For reasons of integrity and confidentiality, no further statements will be made in this context. More generally, however, the OP notes that this has sparked many emotions and required a lot of getting used to from all those involved, including teaching staff. There has actually been a relatively small number of complaints regarding the quality of education as a result of COVID-19.

Among student cases, four carried over into the new year and have since been resolved. The number of hours spent on each case is shown in Table 8 below.

Table 8. Hours per request

0-5	21
5-10	3
10-15	3
15 or more	4



5 Conclusions and recommendations

5.1 Preliminary conclusions of the pilot

A number of pilot aspects have been discussed in this report. An external evaluation was carried out in 2021. In this final report of the pilot phase, the decision was made to highlight a few main issues and refer to the external evaluation report for a more comprehensive review.

No additional efforts were made in the second year to draw attention to the name recognition of the OP. This was consciously decided in consultation with HR (project leader of the pilot), but it seems worthwhile to do so again now as in the first year, since a general understanding of the presence and role of the OP still seems to be lacking among students and, to a slightly lesser extent, among staff as well.

After the experiences of the past two years, the OP has come to the conclusion that the OP's administrative position should be part of the Executive Board/Executive Secretary and not (including for administrative purposes) part of HR as is currently the case. Due to the experience gained, the OP is also in favour (for the coming years) of a position as a salaried employee. This based on the OP's own view of the role and tasks that, in short, entail that the OP still occasionally and often actively serves as a mediator/discussion partner for those involved. Naturally, the OP is independent and autonomous. But an OP who is too far removed and will also have to discuss the implementation from a commercial perspective, could detract from the desired and still complex process of getting used to the OP and embedding the OP's position. Of course, the OP must in all cases remain impartial and firm with respect to everything and everyone.

The presence of an assistant (at academic level) has proven to be valuable in terms of providing administrative support and acting as a discussion partner for the OP, as well as answering certain questions from students. The recommendation is to combine the role of OP with another colleague (who may or may not also serve as OP). Adding a colleague and an assistant would increase embedding, support, reflection and the necessary coverage. This would strengthen the OP in their role and help to make the position less solitary. As the OP must constantly deal with difficult situations, collegiality is desirable and will increase quality and effectiveness. The OP believes that the additional staffing costs will definitely be offset by the reduction of costs that bottlenecks and conflicts typically entail. The practical embedding must also be improved, such as providing a permanent and confidentially accessible workspace, a computer and a mobile phone in order to guarantee the anonymity of the reporting party. The OP continues to believe that an external email address is the most desirable option for reasons of confidentiality (and the sense of safety in this respect among those making reports). Should the use of such an email address continue, the OP will have to improve the current agreements with the Executive Board regarding the costs of external ICT support and the separate responsibilities of EUR and the OP.

A number of issues have stood out to the OP in the second year. Students have certainly struggled with online education instead of in-person classes and exams (particularly those students with a disability) due to COVID-19. Staff have experienced heavier workloads due to online education in particular.

The OP has been actively involved in the organisation. The OP additionally recommends devoting more attention to students' potential needs in the coming year. The positioning of medical students in particular and staff of the various EUR-affiliated companies and partnerships also requires attention and concretisation when it comes to their right to submit reports and make use of the actors and committees within EUR.

The course of the procedures and the effectiveness of dispute resolution by committees merit further attention as well. More can be learned from the experiences and there are areas for improvement, such as processing time, effectiveness and aftercare/resolution. The emphasis could also perhaps be shifted to more organisation-oriented aspects instead of primarily legal aspects. Another point for attention is the handling of cases that are not passed on to the committee and in which the confidential advisers no longer play a role. These regularly end up on the OP's desk. In the context of complaints handling, excessive or prolonged use of the complaints submission process and related support deserves attention as well. Either alternative solution methods or mutual coordination should be considered more often.

The working relationship with the OP portfolio holder/Executive Board President is better compared with the first year. The joint search for the right tasks and role for the OP has also taken a serious step forward. However, there is still some searching, shuffling and occasionally a step backward. The OP realises that a new role like this one requires additional time from the organisation and joint trailblazing.

The regulations will have to be adjusted. The OP has a number of recommendations in this regard (see Sections 3.6 and 5.3).

5.2 Preliminary conclusions of the second year of ombudswork

In the second year, it was once again decided not to restrict access to the OP, but to leave it to the OP to refer the reporting party if necessary or handle the issue directly if referral was not possible. Reports cover a broad range of themes, including procedural integrity, proper conduct, moderate to severe frictions in interpersonal interactions and financial issues. COVID-19 and high workloads have also had a noticeable impact.

The OP's role of referrer poses a few dilemmas. Some of those who report inappropriate behaviour are referred back to or remain with the OP long-term because referral to a complaints committee is too large a step and the organisation is unable to offer any other solution. PhD students also have difficulty getting help in complex strategic situations, for instance in relation to their supervisor or the faculty. The OP handles these matters directly.

There are also issues of overlap and multiple use within the network of actors. The OP notes that not all well-meaning and widely present entities are always equally effective or adequately equipped for the task. Further coordination and synchronisation of problem areas and issues remains necessary. This causes frustration not only for those making reports, but also for other parties in the network of actors itself.

The OP's working method is the same as the year before. Reporting parties often contact the OP by email or phone, after which an (online) intake interview is held. Based on the intake interview, joint follow-up steps are taken such as (recurring) advice, mediation/moderation, coaching, referral or monitoring for the purpose of transparency or observation. The role of complaints handler did not apply, although reporting parties sometimes asked the OP for an opinion on an issue and this was also shared with the reporting party and/or others involved.

The larger connection between reports and discussions is still being analysed by the OP and integrated where possible. Sometimes a dilemma was persistent and it took a (very) long time for the manager to understand which actions were necessary to achieve an outcome that was acceptable for everyone. The OP has frequently taken on the role of adviser and mediator. All sorts of nuances are

involved in this regard. Many staff cases also require an investigation to identify viewpoints and facts. As stated in the regulations, no formal investigations have been carried out by request. Managers at all levels seldom demonstrate the will or ability to learn from situations. In the OP's opinion, this is due to a tendency to marginalise problems that fall outside one's immediate work environment. However, this phenomenon is likely also the result of work pressure and COVID-19, which have already caused plenty of challenges outside people's comfort zone.

The OP has handled numerous cases in which efforts were made to change the dynamic of the conflict. In some of these cases, other supporting parties or HR staff were sometimes involved. In conflicts between employees, HR staff are often viewed as primarily supportive of managers and much less supportive of the employee in need. Confidential advisers and the OP then take over the role of supporting the employee. Awareness of this trend and how to change it if desired should be and remain a topic of discussion.

In the previous report, the culture within EUR was mentioned as an aspect that deserves special attention. The majority of reports this year are once again related to culture. The backgrounds of these reports vary. It is difficult to speak of one culture with so many different faculties, each of which has its own dynamics, characteristics and challenges. In summary, a number of conclusions can be drawn.

The OP notes that decision-making processes across departments and faculties are unclear and sluggish at times, and quite often fail to live up to the Rotterdam business image of 'actions speak louder than words' and 'persistence'. The structure of the university in general is an important aspect in this regard. Formal, informal and even statutory powers are intertwined. Although the Executive Board is the highest level of influence for the OP, it does not always use its influence. This could be because the influence simply is not there in that case, or because a certain practice or intervention is undesirable due to sensitivity with respect to process, people or timing. Workloads are also high at the level of the Executive Board and the OP's work requires extra time as well.

At various faculties, education still seems to be subordinate to research in decision-making processes. Ongoing attention must be devoted to this because it can create nearly unacceptable tensions in certain teaching groups, such as among tutors and their supervisors (ESSB).

The leadership at ESL has put forth a vision, but the implementation of this vision has also (seriously) impacted staff along the way. A relatively high number of reporting parties have communicated this to the OP.

A number of faculties (including ISHCC, ESHPM and EUC) have experienced tensions due to certain major events in recent years. Those tensions are still present and still deserve attention. However, it is important to find a good balance because there are also some groups of employees who no longer want to focus on these issues from the past.

The OP has delved into financial matters in response to various issues. These ranged from legal cases to distribution of funds among PhD students, as well as settlements relating to research funding and reimbursements (at various faculties, including ESSB, ESL, ESHCC and SSH). Here too, the challenge is to develop more (centralised) control.

Some faculties seem to be more self-contained than others. Staff at these faculties do not make reports, but when actively approached by the OP they will indeed verbalise issues, such as excessive workloads and a lack of empathy and connective collaboration. The OP has therefore remained alert to this. The core theme here is workloads and a lack of empathy with respect to demanding working conditions. These issues also affect PhD students.

Professional Services (including ABD) are regularly trying to find their place through all this and making great efforts to provide the necessary support. Positioning sometimes seems to be a challenge in this area as well. Some aspects of their decision-making influence on the faculties could be strengthened. This would help these services to be more motivated and more connected to the rest of the network on an equal level. Role stability is also essential, but it must be in connection with the organisation. This challenge also affects staff working directly around the Executive Board (ABD). Improving decision-making processes that transcend departments and faculties is an important point for attention in this case as well. These processes are often too closely linked to the initiative of a few people, after which non-transparent consultation takes place, unclear plans are made, and the implementation sometimes stagnates unnoticed.

In short, the concept of culture includes a diverse range of topics and cannot be placed in a box.

Procedures are another source of reports. Such reports involve questions about what is correct in certain cases, and what can be expected of oneself, colleagues or the organisation.

Eighty-two reports were made by staff this year. Another 26 cases were still pending from the year before. The roles assumed most frequently were those of adviser, mediator, contributor to discussion transparency and investigator. Culture therefore continues to be an important subject of most reports. This generally concerns interactions that have negatively affected the person making the report. The employee then refers to patterns rather than an incident, or the OP sees a pattern. Such patterns particularly concern the conduct of managers, confusing procedures and non-streamlined decision-making that causes feelings of unrest and loss of control over one's own processes. This has been described in more concrete terms at department and faculty level above.

Thirty-one reports were made by students. Student requests are usually specific and include the desire for fast processing. Due to COVID-19, reports have mainly been made regarding the new examination protocol. The OP has the impression that students are not very familiar with the concept of the OP, but simply come across the OP by chance. Two larger groups have contacted the OP for medication and advice.

5.3 Recommendations

Various recommendations have been made in this report. Below is a summary of these recommendations, with section numbers and an explanatory note.

Recommendations regarding the pilot:

- Devote explicit attention to raising awareness of the OP among students and staff again (Section 3.1);
- Continue focusing on the tasks and role of the OP and develop a joint vision. Schedule ongoing meetings between the OP and the Executive Board to discuss this based on new experiences (Section 3.2);
- Only make new practical decisions, such as those concerning an internal or external employment relationship, additional support and external communication, based on clear tasks and a clear role for the OP (Section 3.2);
- Maintain the OP's legal status as a salaried employee (in this pioneering stage) and place the position with the Executive Board for administrative purposes. Make the preconditions clear at the time of appointment so that subsequent negotiations about employment conditions are kept to a minimum and independence is therefore guaranteed as much as possible (Section 3.2);

- Add a colleague and an administrative support staff colleague to the current OP position (Section 3.2);
- Improve the practical embedding by providing a confidentially accessible workspace, a mobile phone and a computer/laptop to guarantee confidentiality and anonymity (Section 3.5);
- Should the decision be made to use an internal email address, realise that an underground system could arise (in which parties use their personal email accounts regardless) and, in any event, set the conditions under which (in exceptional cases) the Executive Board may inspect the OP's emails (Section 3.5);
- The recommendation for the Executive Board is to actively report back to the OP on the progress of (complex) cases in which the OP is involved so that both parties can coordinate their work (Section 3.3);
- The regulations must be reviewed based on the tasks and role of the OP. In the short term, changes seem necessary because they are more urgent in nature and, in principle, will not disrupt the vision to be developed. These include (Section 3.6):
 - The authority to investigate must be at the sole discretion of the OP and not at anyone's request;
 - The legal protection articles pertaining to complaints against the OP must be clarified. Ideally, as is customary for ombudspersons, there is no internal legal protection against findings and complaints about conduct may ultimately be submitted to the national ombudsman.

Recommendations for the organisation

- Define access to supporting parties/committees for medical students as well as for staff and students within the Holding/EUR-affiliated companies and partnerships (Section 3.3);
- Evaluate the functioning of the committees, formulate organisation-specific points for improvement and further analyse the gap between committees and confidential advisers, where the OP often assumes a role. Determine whether it is desirable for the OP to fulfil this task (Section 3.3);
- The network of confidential advisers must be given in-depth attention in coordination with the activities of the OP. In addition to accessibility, key factors in this decision should include the effectiveness of the report handling process and the joint contribution to points of improvement for the organisation (Section 3.4);
- Try make to the learning capacity of the organisation (apart from research and education issues) a higher-priority item on everyone's agenda because the Executive Board has expressed this and explicitly states that it is important (Foreword);
- The roles of the OP, HR and confidential advisers in labour-related and other conflicts between managers and employees must be redefined. Who will do what? And with what effective outcome? (Section 5.2);
- Remain alert to the subject of culture. There are all sorts of issues at play in this regard which could continue to connect staff to EUR in a more positive way. These include:
 - decision-making across departments and faculties should be structured more effectively (management, planning, implementation and monitoring);
 - education is still (too) subordinate to research;
 - tensions at some faculties due to impactful events are not receiving enough proper (and extended) attention;
 - alertness to self-contained culture, workloads, and lack of collegial empathy and connection;
 - improving financial clarity, integrity and awareness in the event of conflicts;
 - strengthening the positioning of Professional Services and ABD with respect to faculties, but also clearly defining fixed roles;
 - develop more process clarity and less dependence on individuals in integrated decision-making.

All of these issues cause irritation, frustration and dropout, and lead to (unnecessary) costs. In the OP's opinion, there is room for improvement in this area, which will also have to be supported by high-quality managers (Section 4.3);

□ To better identify and understand gaps in the network of actors, a strong joint coordinating role for HR and E&S at the explicit behest of the Executive Board is needed in order to develop an effective reporting system and overview (Section 4.1);

□ Consider providing ESSB with (extra) support in its challenges. Keep an active eye on the history of certain faculties where major events have taken place in recent years (including EUC, ESHPM and ESHCC). Consider a needs assessment regarding the leadership style and culture at ESL. Keep a close eye on the faculties where relatively few reports are made, but where a certain (higher degree of) tension can still be seen in interpersonal relationships (RSM and, to a lesser extent, ESL and ESE) (Section 4.3);

□ Be realistic regarding what is and is not feasible within a university. Define it and work together to create awareness accordingly (Section 4.3);

□ Keep an eye out for and realise that there are still gaps with respect to the sometimes complex situations that PhD students (wrongfully) get stuck in (with major consequences) (Section 4.1);

□ Concrete steps must be taken to develop an action plan for students with disabilities (Section 4.3);

□ Concrete efforts must be made to address bottlenecks that specifically affect international students and staff (Section 4.3);

□ Also discuss positive things with each other and, where possible, seek more mutual connections based on role stability, professional strength and legitimised vulnerability (Foreword).