



Aldezle
Defensora Universitaria
University Ombudsman

THE OMBUDSMAN'S ANNUAL REPORT

May 2013 - June 2014

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1. Overview

Article 15 of the Regulations Governing the Powers and Functions of the University Ombudsman – Aldezle at the University of Deusto, adopted by the Academic Council at a meeting on 14 March 2013 and published in the BOUD (University of Deusto Official Gazette) no. 45, on 14 May 2013, states that the University Ombudsman – Aldezle “will draw up an annual Report on the activities undertaken during the previous academic year. This Report will include information about the number and type of complaints received, those that were not considered admissible and the reasons therefore, and those that were accepted and their outcome. The Report will not contain any confidential or personal information that may identify those concerned. Following this statement, this Report includes the actions carried out by the Ombudsman’s Office in its first year of operation, since it was elected on 15 May 2013 until 30 May 2014, the closing date of this report.

Our main task has been to defend the rights of all the University members and, correlatively, seek compliance with the duties of individuals and the different stakeholders that make up the University Community. All this, in accordance with the documents that contain the values that inspire our University and the spirit that should underpin the role of the University Ombudsman, as laid out in the Regulation, the main aim of which is to “receive and deal with the complaints made to him by the university members about the running of the bodies and services at the University, or about the specific actions of its members”.

The University Ombudsman has not been alone at any time. To carry out her work, she has had the kind and generous support and collaboration of many people. We extend our sincere gratitude to all of them: authorities, executives, academic and administrative staff, and also to the body of students itself and, in general, to all those supporting us. All have shown respect and trust in the institution and have contributed to the extent they have been required, to the good running of the Service, and have facilitated the correct management of the submitted cases. Particularly, we would like to express our gratitude to the Vice-Rector for Academic Staff, Identity and Mission, José Javier Pardo, for his help at all times, and especially, for his collaboration in setting up the service during the first months. Similarly, we wish to express our gratitude to the Communication office for its help.

The previous steps for setting up the Ombudsman Office and making it known to the public are listed in the Report, which also includes the institutional actions performed in this regard. Below are some of the submitted cases that have undergone specific actions, their subsequent analysis, advice or requirement and the final resolution.

Finally, while respecting the principle of confidentiality, the enquiries submitted to the University Ombudsman to request support, rather than intervention, or to offer information are not listed but only mentioned in general. These cases, which were not few, were not registered in a database. The procedures followed, depending on the nature of the subject, were: individual attention and follow-up, dialogue and, sometimes, mediation and, more often, just listening.

Regarding the gender used in the writing of this report, we have used neutral, inclusive words. In those cases where the masculine gender to refer to both gender groups has been used, we have tried to avoid repeating expressions that make reading difficult.

2. Setting up the Ombudsman's Office

Location

During this first year, a key task has been the operation of the Service, and a special effort has been devoted to its outreach and implementation at the university, without detriment to the attention paid to all those who came to us for help.

The initial setting-up process was deliberately slow, and the intended aim envisaged the operation of the Ombudsman's office at the beginning of the academic year. In fact, the communication of the appointment to the university community and subsequent implementation took place in June and July.

The nature of this new service and the type of function performed required a suitable location, so special attention and time were dedicated to the choice of the Ombudsman's office. At this first stage of awareness and progressive knowledge of the figure, the main requirements were to ensure approachability, respect and discretion. At the Bilbao campus, after studying different alternatives, an office that had been devoted to proceed to vice-postulancy to Blessed Brother Gárate for many years and that was available at that time was used. This location met all the established requirements and it was all set up for use in September.

At this initial stage, a secretary was shared with another service until the real needs of the service were assessed. Today, it can be said that this was the right decision: physically, it is well-located, in a reserved, easily accessible location and close to the Ombudsman's office. As for its dedication and availability, it has also been a success, so far and while the workload will not increase, it is compatible with its previous purpose.

A similar procedure was followed at the San Sebastian campus, both concerning the accessibility of the location and the required discretion. The office location meets both requirements, especially that of discretion. Here, a secretary is also shared with other services to help at the campus.

As for its management, and pursuant to Organic Law on Data Protection, dated 22 July, a file named "Aldezle" (registration code: 2132030583) was registered with the Data Protection Agency. In addition, a database to include the actions performed and the information related to the submitted cases was also created. Prior to that, a number of entry registration codes were established to ensure data confidentiality.

Internal Communication

In its first year of existence, a particular effort was made to promote this new service. It was not easy to find the adequate channels and procedures to disseminate the aim and scope of the University Ombudsman, and still today we believe that it has not been completely achieved. Below is a description of the actions performed.

First, information was available on the website of the University of Deusto, which included an introduction to the service with different sections, the procedure to submit complaints and a form to do so, the Regulation and the envisaged Report. To facilitate access and give it greater visibility, a banner was included in the home page a few months later.

The assignment of the University Ombudsman to the Bilbao campus has provided the members at this campus with a better understanding and access to its services. To compensate this lack at the San Sebastian campus, a monthly visit was established as from the second semester, without detriment to specific visits that could be paid at any time, if so required. This visit would be made on the third Tuesday of the month. This decision was communicated by email to all the university members at the campus, where they were informed about the Ombudsman's availability and possibility of meeting her without request or prior appointment.

In addition, this visit has allowed us to contact and present this service to the heads of the Library, General Secretariat, Pastoral-Chaplaincy, Computer Service and Vice-Deans of Deusto Business School and Social and Human Sciences. We wish to express our thanks to all of them for their warm welcome and attention.

Visits have not been established formally at the Bilbao campus, although this will be arranged in the coming months. However, for different reasons, a relationship has been established with a large number of university authorities.

External Communication

Once the Deusto community was informed about the Ombudsman service and appointment, a press release was sent to the media. The media interested in collecting information, either through radio interviews or in the press, were dealt with.

It is also remarkable the contact established with the leading institutional authorities in our local context. In this regard, we should mention the immediate initiative of the Ombudsman-Aldezle at the University of the Basque Country (UPV-EHU), Itziar Etxeberria, who contacted us to congratulate us and offer us her support and attention. This support has also been shown in subsequent meetings. This has also enabled the Ombudsman at the University of Deusto to attend the University Ombudsmen's meeting of the group of universities known as G9, in spite of not being a member. We wish to express our sincere gratitude to her for her generous and always kind welcome and availability.

The University Ombudsman also contacted the Ombudsman – *Ararteko* of the Basque Autonomous Community, Iñigo Lamarka, and then she met him in order to strengthen the relationship between both institutions, explore the possibilities for cooperation and offer her support in all those university-related matters that might arise. We also thank his kind offer to take part in any event related to the service that may be held at the University

In line with the UNIJES spirit, to promote common projects and contribute to the dialogue between Jesuit universities in Spain, we sent a greeting letter to the University Ombudsman (*Síndica de Greuges*) at Universitat Ramon Llull, Rosa M. Boixarau I Vilaplana, and we have since maintained telephone contact in order to build a closer relationship and collaborate with the UNIJES aims from our services.

The University of Deusto, through its Ombudsman, is part of the State Conference of University Ombudsmen (CEDU, in Spanish), which currently comprises 61 members from as many Spanish universities. At the 16th National Meeting, we had the opportunity to meet the ombudsmen from the Spanish universities attending this event.

Similarly, the University of Deusto has become a member of the European Network for Ombudsmen in Higher Education (ENOHE).

3. Actions

Preliminary considerations

During this first year, a wide variety of actions have been carried out in compliance with its functions. In addition to providing help and support to the university community, other actions have focused on promoting and contextualising the figure of the University Ombudsman.

a. Institutional actions

As noted above, one of the first actions performed was a visit to the Ombudsman-*Ararteko*, Iñigo Lamarka, in his office in Bilbao last September 2013.

In November 2013, the University Ombudsman attended the 16th National Meeting of the CEDU held at the University of Seville and Pablo de Olavide University. This meeting was highly interesting and intense. These meetings allow us not only to promote knowledge and contact with other university ombudsmen but also to share experiences and, above all, acquire first-hand knowledge of Ombudsmen's everyday work. A number of workshops were held, aimed at discussing the following topics: Mediation in university Ombudsman services; Social rights and policies: University Ombudsman services faced with the economic crisis and cuts; Assessment and grading in the ECTS system: Case study analysis in university Ombudsman services; and Student learning guides as a learning agreement. In addition, the

Articles of Association were amended and new members of the Executive Committee, represented by the new chairwoman, Joana María Petrus, Ombudsman at the Universitat de les Illes Balears, were appointed.

The University Ombudsman attended three meetings of the Committee of the *Equality Master Plan*, in which she was invited to take part. In addition, she was invited to attend two meetings of the *Health Master Plan*. Both plans were framed within the Strategic Plan of the University of Deusto, and are part of Project 15 on University Social Responsibility.

In February 2014, the University Ombudsman attended the meeting of UD's student representatives, *Loyola Forum*, held in Loyola. During this meeting, we had the opportunity both to share a number of leisure activities and meals with the students, and to present the tasks and functions of the University Ombudsman at our university. We also reflected on the role she plays at the university and that of the students in disseminating information and providing guidance and support to others, and in referring to the University Ombudsman those particular cases that may require so.

In this regard, last March, the University Ombudsman met student representative, Aitor Marañón, with a view to holding an event at the San Sebastian campus, from a student rights perspective. The student representative asked his/her classmates as to whether it would be a good idea to organise an event, but as no agreement was reached, this initiative was postponed to the following academic year. This initiative adds to some previous ones that were held in the first semester but were not very successful. At the end of this report, a number of comments will be made in this regard.

The University Ombudsman attended several institutional events that were held at the University. Some of these included: Presentation of the Ada Byron Award to Women in Technology in February; The opening ceremony of the Lidón Room and Memory Square in March; and, in April, the roundtable discussion organised by Deusto Forum entitled: "Current Challenges faced by the University"; a talk given by the Rector, José M^a Guibert, on the opening ceremony of the Engineering and Technology Week; and the World Café to discuss about the *Deusto Strategic Plan 2018*.

In addition, a number of meetings with the Director of Deusto Forum, Juan Echano, were held with a view to holding a number of events aimed at students or the university community, but nothing has been agreed yet.

b. Actions aimed at the university community

Below are the specific actions that have been undertaken during this first year. It should be mentioned that no specific action has been performed by the University Ombudsman, nor has explicit mediation been required. Regarding the submitted complaints, they have been classified in two main groups: Complaints – ctions in which alleged violations of rights and freedoms are reported- and enquiries– requests for information and guidance. These two

groups are registered in the database and information will be provided without disclosing confidential information, omitting key references and personal details, and in all cases, in a concise way. The enquiries, requests for information or guidance, or with regard to a specific fact, situation or circumstance affecting university life that were submitted to the University Ombudsman have not been taken into account statistically. In general, these were made in person, by phone and, sometimes, by email. This type of support did not require explicit intervention and, consequently, it was not registered in the database or the quantitative analysis, although they are regarded as contributions.

As for the development of the issues addressed, a number of interventions, nearly all, were resolved through personal representation, interviews, sometimes by phone, and also emails sent to the individuals and bodies cause of complaint. In other cases, it was necessary to request reports, but written opinions were not required. The decisions, once the actions had been concluded, were sent in writing to the complainant, except in those interventions in which this was done orally. The average resolution time ranged between eight and fifteen days. However, three cases –due to their complexity– required a longer time and they were all completed except for one. Resolutions were always reasoned and, in addition to notifying the claimant, whenever it was required so, the individual, body or service concerned were also notified. In some cases, recommendations to solve the detected deficiencies or to help to improve the service or body concerned were also submitted and, in any case, to prevent the reasons giving rise to the complaint from occurring again.

Similarly, this section also includes those cases that should not have been considered by the service for different reasons, in particular for not making adequate use of preliminary proceedings, and should have been excluded from the proceeding, instead. However, all those who required help were dealt with, even if it did not involve a procedure. We believe our performance has been adequate since, in general, we have been able to provide support and guidance to all those who were overwhelmed by a problem, or were facing a difficult situation.

c. Total actions

Below are the complaints, amounting to a total of 25, together with the corresponding itemised figures and tables: issues raised, claims by academic year, claims by language, actions by centre, actions by group and gender, actions by type of course, outcome of resolutions, actions by cause.

i. Issues raised

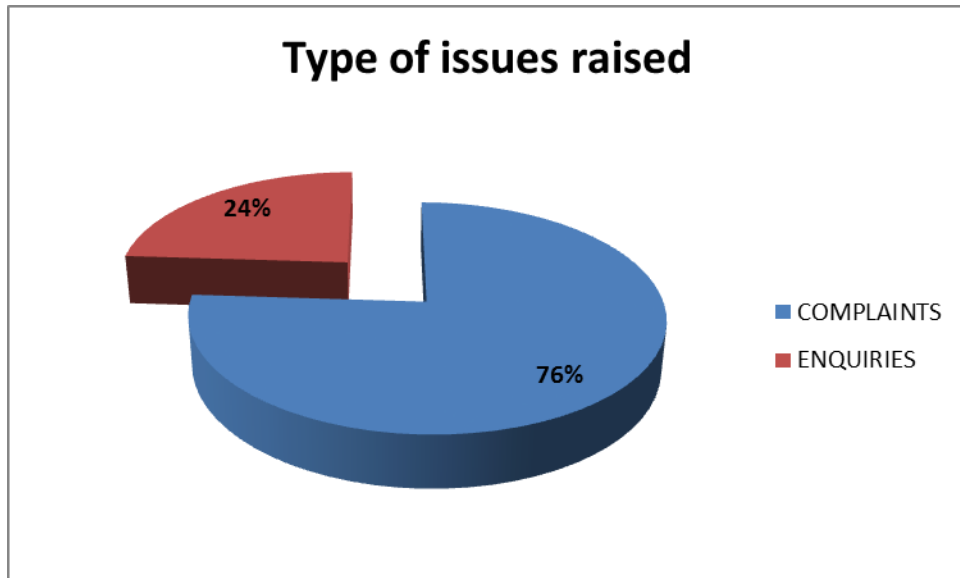


Figure 1: percentages by type of issue.

Out of the total number of complaints, 19 were claims and 6 enquiries.

ii. Complaints by academic year

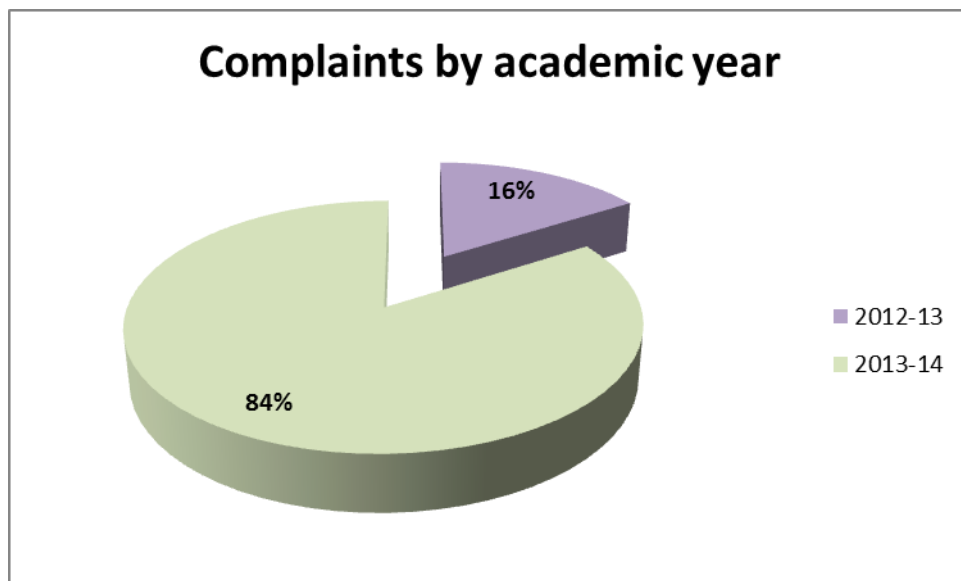


Figure 2: percentages by academic year.

Considering that the service began to operate in June, it is not surprising that only 4 interventions had been submitted at the end of the 2012-13 academic year and that the rest, 21, were submitted before the end of the 2013-14 academic year, as this report was closed on the last day of May.

iii. Claims by language

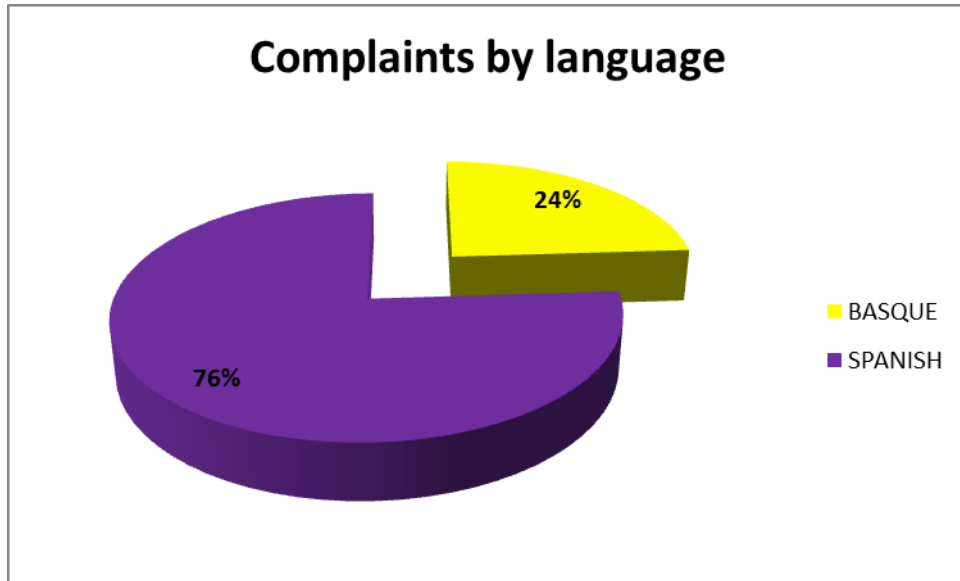


Figure 3: percentages by language used.

As to the language used in the intervention, 19 were made in Spanish and 6 in Basque.

iv. Actions by centre

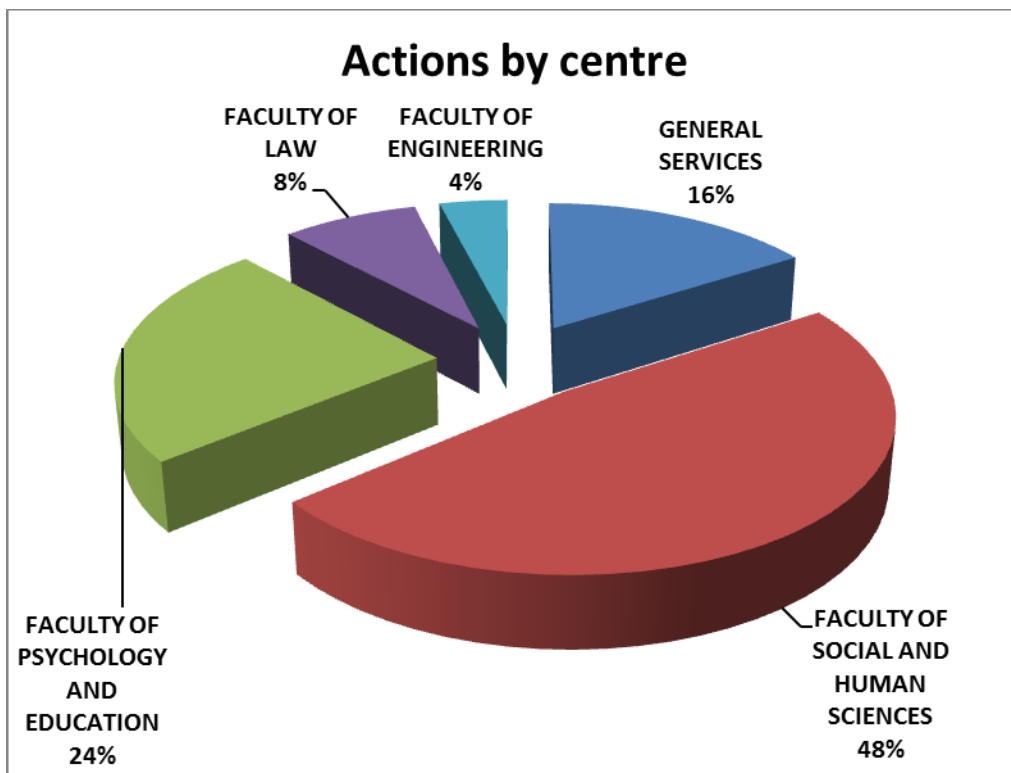


Figure 4: percentages of actions by centre.

The processed issues, distributed by faculties and services, are the following: Social and Human Sciences, with 12 cases, is the largest group; it is followed by the Faculty of Psychology and Education with 6 cases; the Faculties of Law with 2 and Engineering with 1. The General Services area had 4 actions.

v. Actions by group and gender

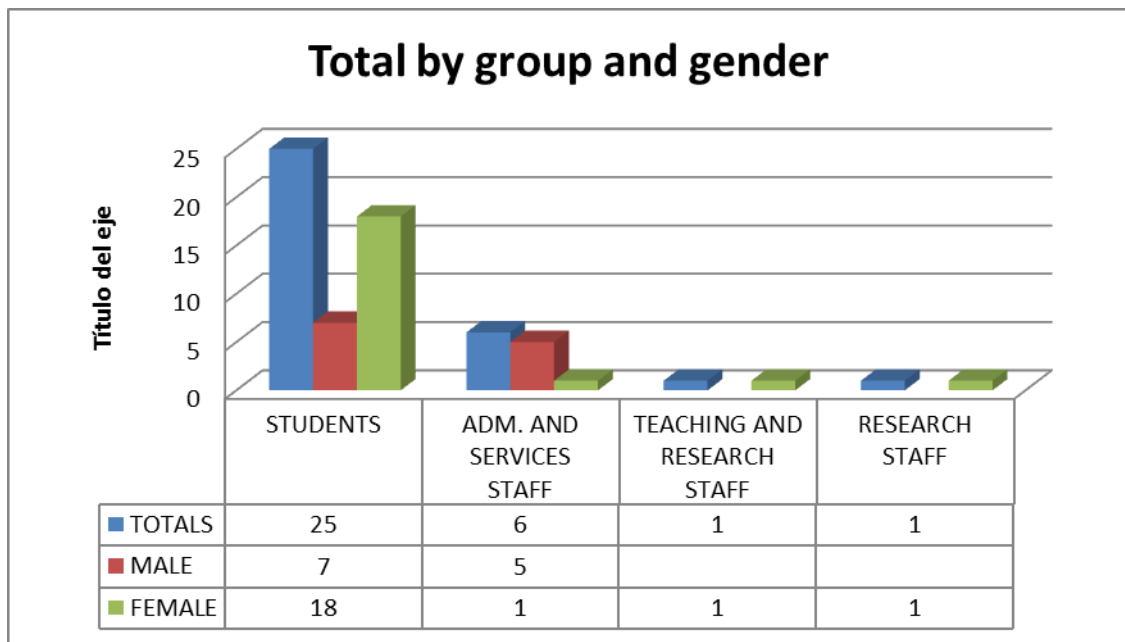


Figure 5: actions by group and gender.

The Student group used the University Ombudsman service the most, 25 people; this was followed by the group made up of Administrative and Services Staff, 6 people, and the group comprising both Teaching and Research Staff and Research Staff, one had one case, respectively.

Three of these actions belonged to groups: two to the Administrative and Services Staff and one to the Student group, with two persons in the first group and three in each of the other two.

By group and gender, it is distributed as follows: Students, 7 men and 18 women; Administrative and Services Staff, 5 men and 1 woman; in the Teaching and Research Staff and in the Research Staff groups, in both cases, women.

vi. *Actions by type of course*

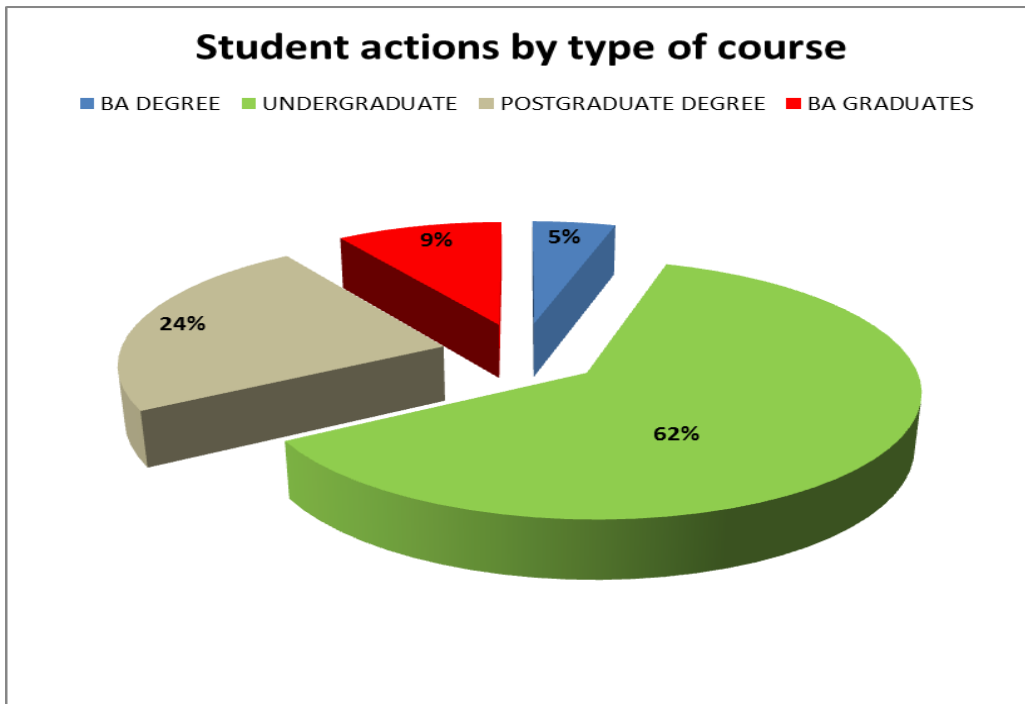


Figure 6: percentages of students by type of course.

With regard to the actions distributed by Undergraduate or Postgraduate course, data are classified as follows: 13 were undergraduate students; 1 BA degree (*Licenciatura*) student; 5 postgraduate students and 2 issues related to BA graduates.

vii. *Outcome of the resolutions*

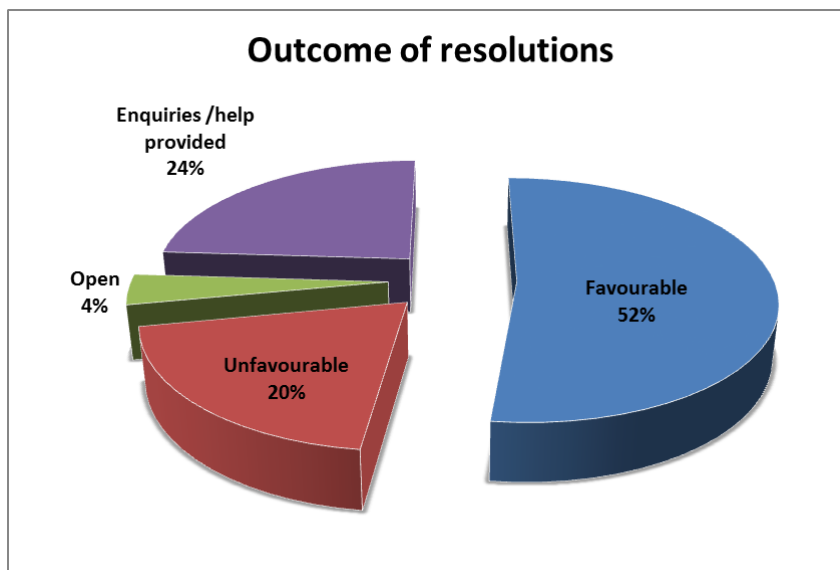


Figure 7: Outcome of the resolutions

Concerning the outcome of the resolutions, 13 were favourable and 5 did not respond to the claimants' expectations, 1 is still open and the remaining 6 were enquiries that obtained the required support.

viii. Actions by cause

The reasons, both concerning complaints and enquiries, were quite varied. For a clearer view of the issues addressed, these have been classified by group and, in the case of students, by subgroup. These have been ordered in the table below as follows:

ACTIONS BY CAUSE	Students	Teaching and research staff	Research staff	Administrative and Services staff
Complaints about teaching / Teaching staff	X			
Complaints about Assessment system	X			
Access and choice of universities: Erasmus programme	X			
Scholarships and grants	X			
Postgraduate internships	X			
PhD supervision	X			
Fees for academic transcript request	X			
Validation of Subjects and Credit Recognition	X			
Graduation ceremonies	X			
Front-desk staff	X			
BA final exams	X			
Undergraduate Final Year Project	X			
Student Assessment		X		
Labour-related issues			X	X
Facilities and services				X
Study rooms				X
Mobility				X

Table 1: Cause of complaint and type of group

4. Data Evaluation

The analysis of actions with the Student group raises the most interest, since that of the other group are not very significant due to the small number of interventions made. However, the number of interventions is also scarce with regard to the student group.

Therefore, a first consideration should be made. The lack of actions in some faculties and the small number of problems raised by the Students may be due to several reasons. Obviously, one of them can be the lack of knowledge of the service. However, we are sure that, in addition to the Student Regulations, which adequately address all those problems that may arise, the means to solve them at the centres are, in general, suitable for the different situations that may occur.

Generally speaking, students required the University Ombudsman service for very specific reasons, and scarcely for structural issues, shows that university's educational system is well performant. The same could be said about the application of some postgraduate internship related to a specific degree, and on the access to some European universities under the Erasmus programme. Some other issues like graduation ceremonies for graduating classes of extinct degrees –wearing the academic dress– and examination sittings referred to these extinct degrees. There were also some complaints about the fees charged for issuing academic transcripts, which led the University Ombudsman to make a recommendation.

Academic issues, referred to the actions carried out by some lecturers, were paid less attention as the assessment and teaching system of the teaching staff focused on specific cases. This issue, although relevant and not easy to solve, was anecdotic.

However, there are common issues to all universities that are also of our concern. One is the assessment system in special exam sessions and, particularly, those in which there is an examining board. Some of these practices are not taking into account the education model required by the assessment system on a continuous basis. In this regard, special mention should also be made of the Student Learning Guides and their application in the classroom by the teaching staff, which is not always adequate.

Another issue related to teaching is that of Undergraduate Final Year Projects. Setting aside the question of language choice, which has sometimes arisen and is referred to in the following section, special mention should be made of Undergraduate Final Year Projects and students' workload at the end of the academic year. We did not receive explicit complaints on this issue, but the subject of project supervision and then, the reading of a large number of projects in very short period of time and at a very busy time as members of the examining board, were referred to the University Ombudsman service. We are aware that this problem has no easy solution, but in the faculties where this problem has arisen, solutions should be found to help lecturers alleviate some of these concerns.

The language issue has another scope. The courses offered in Basque did not completely meet students' demand. In some cases because they had not been scheduled and in others, due to the lack of teaching structure. This is the reason why some students from some specific

degrees did not have the option of writing the undergraduate final year project in Basque. At a less formal level, other issues that were sent to the University Ombudsman included the lack of sufficient language competence in some subjects taught in English and, conversely, the lack of competence of some students to undertake the final project in that same language and the added effort this required from tutors.

Special attention should be paid to the issue concerning scholarships and grants, which had a relatively large number of cases. Some of them were resolved favourably, but not all. First, our university is making a great economic effort to help the largest number of students possible. While carrying out our work we have seen that the management of scholarships and grants, is carried out with fairness and equity, with objective criteria and, in turn, with sensitivity and flexibility for those cases requiring individual attention. However, for reasons beyond the control of the university, nearly at the end of the previous academic year, the grant allocation criteria for this academic year changed. The consequences have been very painful in some cases, as this had led some families to a more difficult financial situation, placing the student in some cases, at risk of having to leave his/her course. A detailed analysis of the different situations and actions derived from the grant award policy and a series of meetings held with the Scholarship and Grant Service, led the University Ombudsman to submit a document to the Vice-Rector for Student Affairs that contained a number of reflections and recommendations from different perspectives, in order to contribute to such a complex issue, but at the same time very relevant at our university, which is particularly committed to helping society.

The current university system has changed a lot in recent years and our university is involved in numerous plans in the field of teaching, research, technology, and innovation, both at a local and international level. This means that the level of demand and work in the field of management requires much effort and dedication by the entire community: lecturers, researchers and non-teaching staff. The key role and an essential part of the University Ombudsman service is to ensure quality in any action that is undertaken. In addition to the great effort that has to be made to carry it out, it also requires doing it in a very short time and across the entire organisation, whose size has increased in the last few years, and therefore, it also has to adapt to meet the new needs. From the vantage point offered by the University Ombudsman service, and thanks to the direct contact with the community, we have seen that in all cases there is a willingness to help and work, and availability to address all those necessary requirements, but the response has sometimes been delayed and, in some cases, there has not been one. We know that the main reason is usually the large variety of issues they have had to address and that our own requests have also increased them.

The relationship with the heads of the Management and the General Services has been correct and adequate at both campuses. The still incipient collaboration has had a positive response and has opened up new channels of communication for the future. An intervention by the University Ombudsman and the subsequent report with her recommendations gave us the opportunity to gain an insight into the work that is being carrying out within Project 20 of the Strategic Plan, aimed at achieving a competence model that is consistent with the comprehensive development of people within the organisation, and at improving human

resources management, training plans and an effort to enhance internal communication and relationships.

In this regard, the Master Plans focused on Health and Equality above mentioned, although they are still at their implementation stage, are making good progress with a clear focus on quality.

5. Reflections and suggestions

The development of the University Ombudsman's functions ensures the well-being of people at our university, including the recognition of their rights and freedoms, which significantly marks the improvement of university quality. This year's outcome has been very positive and, as far as our relationship with the community is concerned, it has also been favourable. Most of the issues that required our intervention were positively resolved and we could help those who came to us seeking guidance and support. Regarding attention, facilities and services of our community, the overall assessment is highly positive, too.

This service has been running for a very short time and the actions performed are still limited. This is why we should not draw premature conclusions in this regard. It should be mentioned that there were not reported situations where the rights of freedoms of individuals have been infringed. And most of the actions performed were related to coexistence or to deficiencies detected in the services available. However, concerning the aim to improve quality at the University, we would like to draw a number of considerations on some of the issues that, by sharing them with the entire university community, can lead us to a joint reflection and help us to improve in many ways.

There is still a lot of work to be carried out on the dissemination of the University Ombudsman service. There are still people who are not aware of it or think that it is only aimed at students. Although this is relevant information, it is not one of our concerns in our everyday work.

In this regard, I would like to encourage the university community to become aware of a person's freedom to appeal to the University Ombudsman in those cases that are considered to require an intervention. We have observed this in all the different groups and it is one of our concerns. There are people who state the problem but they only wish to place it on record. They do not dare to appeal. It could be said that they see the University Ombudsman as a key support figure of those who need support or attention, but they are unsure as to the confidentiality and due secrecy. These actions show a lack of knowledge of the functioning of the service and the guarantees of confidentiality offered. On the other hand, this type of action prevents from starting the necessary procedure aimed at: improving, helping or intervening. In this regard, a greater effort must be made to raise awareness of the aims and functions of the University Ombudsman service. The University Ombudsman should be regarded as a figure providing support, defence or settlement in any problems that may arise at the University. We are sure that a climate of confidence will be achieved with a better

understanding of the functioning of the service, although we are fully aware that this needs time. We all have a stake in creating a climate of confidence and we must avoid those situations that are not in the interest of the university community. Therefore, any issue affecting the rights of the members of the university community, and that have not received a response in their area of scope, should be naturally referred to the University Ombudsman.

Despite the non-binding nature of the proposals for resolution on those issues submitted to the University Ombudsman, the university bodies or individuals concerned should make an effort to improve, take action or intervene as indicated in the proposal, in order to ensure individuals' rights and prevent those situations that were referred to the University Ombudsman service from occurring again. However, the complexity of some of the issues does not allow to solving them completely or definitively, and progress is sometimes slow and improvement is only seen over time.

Another aspect that concerns us is the accessibility to students. We have made repeated efforts to approach and hold some events for students at both campuses, but they were unsuccessful. This concern, which is not only perceived by the University Ombudsman, has made us reflect on our students' schedule and, above all, on the idea that what prevails is academic education. In addition, our students' activities –with a few exceptions– include attending lectures, working in teams or going to the library, where the main function of the university ends. This does not help to hold events that ensure students' attendance. This is a real fact that should challenge us. We should all try to change this attitude among our students. We should show them the right path so that they can see an exciting horizon at the university, which can open up different paths to help them be better prepared and qualified. In addition to being in line with our University Project, this would offer a meeting place for discussion in the search for a more humane future for all.

The University Ombudsman service has completed its first year, that is to say, it has just started. Therefore, there are still many areas for improvement. However, I think the overall assessment has been positive within its limitations. This Service is becoming increasingly closer to the entire community and its functions are being more widely known and understood. We hope that we have somehow contributed to enhancing the quality of attention and service offered to the members of the university community and to improving, at least, some aspects of its functioning.