

Why an Organizational Ombuds?

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Introduction

American campuses and workplaces have grown increasingly diverse and complex over the last several decades. Rules governing federal funding, and employment laws, rules, and regulations have proliferated since the 1960s.

Organizations evolve in response to changing conditions, but often this organic evolution leads to new challenges. There is no one perfect model; each organization develops its own culture, and sub-cultures.

The concept of an organizational ombuds developed as a way to respond to many of the characteristics of our changing organizations.

Characteristics of organizations that call for an organizational ombuds

1. Bureaucracies

- a. Are complex – and often opaque to members of the organization.
- b. Aim toward uniformity – oriented to treat everyone the same way all of the time and resistant to exceptions to rules and regulations.
- c. Resist review of policies and procedures which may have been written only for reasons of legal liability and obligation.
- d. Are slow to change.
- e. Lack effective ways to respond to matters for which there are not, or cannot be, policies, procedures, rules and regulations.
- f. Lack transparency and limit access to information that is viewed as a source of control.

2. Within hierarchical authority structures

- a. Leaders are insulated from bad news.
- b. Many managers are reluctant to acknowledge problems and failures in their units.
- c. Loyalty is often rewarded more than competence.
- d. Pleasing supervisors can become more important than organizational effectiveness.
- e. Changes in personnel are disruptive and often viewed as a threat to stability.
- f. Units within an organization compete for turf, resources and reputation.
- g. Identifying problems or speaking out can be viewed as a breach of the chain of command or disloyalty.

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How an ombuds helps organizations

Research shows that the degree to which people identify with their organization is strongly correlated with their sense of being treated fairly which, in turn, leads to higher morale and better performance. An ombuds can help to identify and assess issues of fairness, organizational problems, and systemic deficits that may undermine the mission of an organization.

No other role in an organization has fairness and procedural justice as its central concern. An ombuds has two levels of responsibility. At the first level the ombuds can receive and help to address any work-place issue, from all ranks, demographics, and worksites in the organization. At the second level, the ombuds has the responsibility to identify and bring to the attention of the appropriate people within the organization systemic issues within the organization. The ombuds seeks to identify and help to assess policies, procedures, practices and aspects of the organizational culture that create or exacerbate grievances, problems, conflicts and antagonisms.

Help ensure fair treatment. An ombuds helps assure that people perceive fair treatment within their organization by working to support procedural justice. There are four key aspects of organizational justice:

- a. Formal systems for decision-making and equal and fair application of rules.
- b. Quality of treatment received under those rules.
- c. Fairness of decision making by supervisors, administrators, and other decision-makers.
- d. Quality of treatment and respect demonstrated by supervisors and enforced among others in the organization.

Provide a safe space. An organizational ombuds provides a safe place for people to raise concerns and explore options for addressing them. Ombuds offer respectful, open yet confidential dialogue. As an independent, confidential, and flexible resource, free from typical pressures, they provide important elements necessary for psychological safety. Ombuds help build and maintain trust among people within the organization—and between people and the organization. Providing safety for individuals to communicate inside the organization can, in turn, formidably help to protect the organization.

Functions as an effective and adaptable conflict resolution resource. An ombuds serves as an influential and highly adaptable resource for conflict management and conflict resolution. Conflict is inevitable and potentially either helpful or destructive; an ombuds program offers the organization a number of unusual major benefits, including:

- a. **Informality and adaptability.** The ombuds offers a flexible and adaptable set of methods and approaches appropriate to each situation. An ombuds is not bound to one specific protocol but can employ a variety of different informal conflict management practices.

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- b. Individual development and empowerment.** Ombuds offer a safe confidential resource for members of the organization at every level to discuss concerns and to make their own decisions about approaches and options. Individuals are empowered and learn new skills.
- c. Independence from typical organizational pressures.** The ombuds typically reports to the highest possible level within the organization, has no management decision-making authority and no compliance responsibility. These attributes provide all visitors with a sense of neutrality and independence.
- d. Neutrality.** While the ombuds provides safety and empathetic support for all constituents, by remaining unaligned and impartial, the ombuds maintains credibility throughout all organizational levels.
- e. Gravitas and Fairness.** With extensive engagement throughout the whole organization, the ombuds has deep understanding and awareness of issues in a uniquely broad and balanced way. Ombuds are frequently called upon by organizational leaders to provide “pulse checks” and independent input. Ombuds, on their own initiative, engage leadership and communicate about potentially important vulnerabilities.

What does an organizational ombuds do—and not do?

Ombuds offices have no formal management decision-making power. Their functions, and the options they provide *directly*, are all informal. However, ombuds regularly describe—as options for the choice of a visitor—all the formal, conflict management and compliance office resources that are also available in their organization to deal with issues and ideas brought forward by visitors. Since many concerns are complex—with multiple issues, multiple cohorts and multiple sets of relevant rules—ombuds routinely explain multiple resources and alternatives to their constituents.

Ombuds work to respond to constituents as promptly as possible, e.g. acknowledging most calls within 24 hours. They are uniquely knowledgeable about the organization and its mission, and its rules, customs, and core values. Many people who come to the ombuds want to handle their situation themselves but want to check their understanding with a neutral, knowledgeable party. The ombuds can help reframe their concerns and help them to develop and evaluate options, thus fostering effective conflict management at the lowest possible level. Ombuds help people to find responsible resources, affinity groups, mentors, and other services.

Ombuds may also offer shuttle diplomacy, facilitation, and mediation. Of particular value to all constituents and the organization, in these times of managerial overload, ombuds may “*follow-up*” on a specific case, or with a specific unit, with relevant stakeholders.

Ombuds may facilitate a generic approach to an individual or group problem, for example, meeting with a unit in turmoil and reflecting back to the unit what is heard—while protecting individual identities—and then offering both formal and informal options. Ombuds might ask management for a certain rule to be monitored or enforced throughout a whole department or unit—or alert a compliance office to consider a particular “spot

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review” of some concern. These generic approaches may lead to fair outcomes for specific problems, while protecting the identities of concerned individuals.

Ombuds may “look into” a problem informally, for example checking for new policies, or resource constraints, assessing multiple points of view, checking unobtrusively with staff offices to find out if colleagues have heard about a certain kind of systemic issue. They review organizational data, anonymous survey information, and the statistical records of the OO office, to write “systemic reviews.” The work of ombuds sometimes helps to defuse rumors.

Ombuds serve the whole system. They identify and communicate safely about *new issues* and patterns of issues. They support systems change, for example, suggesting new policies, procedures, and structures, and participating in relevant training about conflict management. They serve as a resource to units in turmoil and to policy committees. Ombuds communicate about good ideas that have popped up in the organization and follow up on system change recommendations. They help informally, and often invisibly, to connect and coordinate all the elements of the conflict management system—in the context of daily communications with employees, compliance officers and line managers—as they support all cohorts to understand and use the resources and options in the system. Ombuds help managers to do professional development planning and succession planning.

Ombuds do not keep formal case records for their organization or accept notice for the organization. They do not serve as witnesses in any formal procedure, serve any committee as voting members, or serve as advocates or compliance officers. They do not adjudicate or hear formal appeals.

Conclusion

An organizational ombuds is a flexible and effective organizational resource, that is unique among the roster of services typically provided by an organization, such as Ethics and Compliance, HR, Labor and Employee Relations, Title IX and/or EEO Officers, and others. The ombuds does not replace these functions, but actually enhances these functions by providing feedback to strengthen the effectiveness of structured formal processes and by providing a safe point of discussion about a possible referral to these processes.