

# THE OMBUD

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## THE OMBUD – EDITORIAL

*We have received much positive response to the launch issue of “The Ombud”. Colleagues have expressed the need to share, compare notes and experiences, and most importantly grow the Ombudsing field in South Africa and on the African continent. As a member of the IC (International Committee of the IOA), our task is to support the goals and priorities of the IOA by growing the Ombudsing profession throughout the world, and in my case, here at home. In advancing the profession locally, we need to actively create opportunities to network, and reflect collectively. Mary Rowe (MIT) pre-warned me of the lonely nature of the Ombudsing job, emphasizing the need to find other Ombuds for association and support. We have that in each other.*

*In this issue I am looking back at my early days in the office, and I am thinking about information, tools and skills that helped me to set up the office, also remembering things I wish I had known sooner. A select list of thoughts is available at*

<http://ombud.uct.ac.za/wp-content/uploads/2015/04/Things-I-now-know-UCT-Ombud.pdf>

*I thought it would be necessary to share some of these elements of the work, by looking at the visitors (no Ombud forgets the first visitor), how they know we exist, who they are, what they talk to us about, how we engage in conversations with them, and whether or not we ever establish if they*

*are satisfied with the service. With many offices being set up, some of these reflections may be useful. Furthermore, since Ombuds help to resolve conflicts, mediation is a crucial skill.*

#### *Transformation at UCT*

*As I write this newsletter, the University of Cape Town, where I work as Ombud, is occupying centre-stage in conversations about lack of transformation here at UCT and in Higher Education. The protests and the actual removal of the statue of Cecil John Rhodes have been much advertised, attracting commentary through several media. I have followed the proceedings closely. You may want to read my comments on the #RhodesMustFall campaign at <http://ombud.uct.ac.za/wp-content/uploads/2015/03/UCT-Transformation.pdf> As Ombuds, we have a responsibility to assist the institutions we serve, to be responsive to the needs of their communities. Creation of Ombuds Offices should be an expression of willingness to listen. But how well do institutions do this? And how quickly do they act, when and if they understand? As Ombuds we are internal outsiders, hence we need to constantly reflect on what we are to do in these situations.*

#### *RECENT ACTIVITIES AND DEVELOPMENTS*

*This year seems to be a year of developments and certainly a greater awareness of Ombudsing. I trust 2015 is a good year of building on positive experiences and knowledge, and of taking Ombudsing to a new and higher level within South Africa and on the African continent.*

*On September 18, 2014, UCT Ombud, Zetu Makamandela-Mguqulwa held a presentation on Mediation and Ombudsing as complimentary processes at a workshop held by Conflict Dynamics ([www.conflictdynamics.co.za](http://www.conflictdynamics.co.za)) in Johannesburg which was attended by an estimated group of 100 participants across South Africa. To view the presentation, navigate to <http://ombud.uct.ac.za/external-presentations> and click on the relevant link.*

*The Manager of the Ombudsman Office of the University of KwaZulu-Natal, Adv Busisiwe Mngoma, has been selected as the recipient of the IOA Scholarship which we advertised last year, enabling her to attend the International Ombudsman Association (IOA) Annual conference in the USA, currently underway. We congratulate Adv Mngoma and wish her well and we look forward to hearing her feedback.*

*As shared previously, the University of Stellenbosch had appointed a new Ombudsman, Prof Julian Sonn.*

*Similarly, the University of Johannesburg has appointed a new Ombudsman for their newly established Ombud's Office, Mr Mavuso Msimang.*

*The Durban University of Technology is considering the establishment of an Ombud's Office, and so is the University of the Western Cape.*

*Last but not least, I am grateful to Prof Mary Rowe, my mentor and veteran Ombud at MIT who has retired at the end of September 2014 after being an Ombud for 41 years. She taught me almost everything I know about Ombudsing.*

#### OMBUDSING – DIFFERENT PATHWAYS

*While all Ombudsing is a part of Alternative Dispute Resolution (ADR), there are three main approaches:*

- 1. Organizational – they further principles of fairness and equity, legal and organizational practices, humane and just administration, and creation of caring and productive teamwork.*
- 2. Classical – they emphasize statutory independence from governmental control, the power to investigate complaints, and the authority to publish findings and recommendations. Almost all of their offices are established by legislation.*
- 3. Hybrid – they resemble parts of each of the above approaches.*

#### THE WORK – SELECTED ASPECTS

*For Organizational Ombuds, the IOA has Standards of Practice and a Code of Ethics which guide how the work is done. These require that the Ombud shall function independently of the organization to be confidential and neutral, and to limit the scope of services to informal means of dispute resolution. For an explanation by the IOA, please navigate to [http://www.ombudsassociation.org/IOA\\_Main/media/SiteFiles/Code\\_Ethics\\_1-07.pdf](http://www.ombudsassociation.org/IOA_Main/media/SiteFiles/Code_Ethics_1-07.pdf). One of the most important documents to have as soon as doors open for business is the Terms of Reference (ToR) document. The ToR acts as a contract between the Ombud and the organization he or she works for. The ToR clarifies the scope of the work together with its limitations exhibited by agreements entered upon by both parties. For the office to be used, the Ombud must generate and execute an educational communications plan. Thus the ToR is central to the work. A further useful tool is feedback from visitors, which enables us to assess our impact and relevance.*

#### SECOND IOA TRAINING IN AFRICA

*Arrangements to host an IOA training event in Cape Town are at advanced stages. The dates are the following: 21 – 23 September 2015. The training event will cover Ombudsman Training 101, which is an introductory programme for new Ombuds. This will be the second IOA training on the continent. In June 2007 the northern African city of Tunis, Tunisia, held similar training, hosted by the African Development Bank. Ordinarily this training is held*

during IOA Annual conferences in North America. As part of the IOA attempt to expand its international footprint the conference committee is looking at other venues internationally. Thus we might be hosting an annual conference in the future. If you are receiving this newsletter for the first time and you are interested in attending the training workshop in September, please email [ombud@uct.ac.za](mailto:ombud@uct.ac.za). Further information will follow.

#### VIRTUAL MEETINGS

We are now able to meet telephonically using a dedicated line sponsored by the IOA using Zoom. Further information will follow by email. We endeavour to hold the Zoom meetings on a monthly basis beginning in May.

#### FEEDBACK

Comments, contributions, thoughts and queries as well as suggestions for future newsletter inclusions are welcomed.

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