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# Yea, Nay, and Everything in Between: Disparities within the Academic Ombuds Field

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*Few colleges and universities have chosen to establish ombuds offices, and the profession itself has remained relatively obscure. Although organizations have established different types of ombuds offices, the International Ombudsman Association (IOA) defines an organizational ombuds office as a neutral, informal, independent, and confidential office that allays and prevents conflict within the organization and brings systemic concerns to the attention of the organization for resolution. Ombuds office professionals work with individuals to inform them of their options and help them express their concerns in challenging conflict situations. But they also work at the systemic level to alert leaders to important institutional trends and patterns that they would be less likely to perceive on their own.*

*In this article, I examine several stark discrepancies within the academic ombuds profession that may contribute to the relative invisibility of the field itself. While organizational ombudspersons who belong to the IOA unite under the IOA's standards of practice in theory, in practice they diverge in several areas, including the nature of their positions, hiring practices, the level of informality in their practice, their degree of isolation or integration within their institutions, how they cultivate relationships on campus, and how essential they consider ombuds offices to be for the effective functioning of the university.*

*They often also fundamentally disagree about such areas as:*

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- *the terminology that defines the job — practitioners disagree about the usefulness of the terms “ombuds” and “ombudspeople,” for example;*
  - *the role of neutrality and the challenge of maintaining it;*
  - *the value of IOA certification;*
  - *the most appropriate methods for evaluating the effectiveness of an ombuds office; and*
  - *how ombuds make recommendations for institutional improvement.*

*The ombuds profession in general — and academic ombuds professionals in particular — need not necessarily resolve all practice discrepancies in order to thrive, but I argue that open acknowledgement of existing discrepancies can help the profession more effectively promote itself and present a more consistent image to the world.*

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**Key words:** conflict resolution, ombuds, ombudspeople, universities, research, International Ombudsman Association.

## Introduction

In the process of conducting research on ombudspeople working at North American universities, I learned that few people I know are familiar with the term or know what an ombuds office is. Most people I talked with gave me blank looks or asked me to spell the word I kept repeating. (One friend asked if ombuds were a group of people from Iceland.) The ombuds field is indeed not very visible, and even those who have heard the word before confuse organizational ombudspeople, who aim to be neutral, confidential, informal, and independent, with advocate or classical ombudspeople, who are mandated to be formal.

Francine Montemurro (2012: 10), the ombudsperson at Boston University, wrote, “the ombuds role remains a mystery to people in many U.S.-based organizations.” One reason for the relative invisibility of the field, I discovered, is its insular nature and its practitioners’ failure to reach out to practitioners in related disciplines. I also learned, however, that many stark discrepancies about practice and principle exist within the organizational ombuds field itself. It is neither the insular nature of the field nor the discrepancies within it that are solely responsible for the widespread confusion and ignorance about the ombuds field; rather I believe it is the combination of both the field’s insulation and the inconsistencies in interpretation and practice that create a sense of disarray and lack of

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standardization and that prompt some people to write the field off as a luxury for organizations that have extra money or that are plagued by particularly severe conflicts. I suggest that open acknowledgement of discrepancies within the ombuds profession can help its proponents transmit a more consistent and accessible view of the field and encourage more institutions to take advantage of the benefits that the ombuds field offers.

The term “ombuds” comes from the Swedish words *om*, meaning “about,” and *bud*, meaning “message”; although it is typically translated as “representative,” it literally means a “person with a message about something” (Chaney and Hurst 1980: 215). An advocate ombuds office advocates on behalf of its “visitors,” that is, the users of its services. A classical ombuds office is established outside of the organization and is mandated to conduct formal investigations and can make nonbinding findings of fact and recommendations.

Organizational ombuds offices, on the other hand, are typically established by organizations and agencies themselves, and many choose to follow the Code of Ethics of the International Ombudsman Association (IOA), which defines organizational ombuds offices as independent, neutral, confidential, and informal. According to this code, the ombuds office should be independent from any other department’s influence and report to leaders as high as possible within the institution. The ombuds office is neutral in the sense that the ombudsperson does not advocate on behalf of either the organization or the visitor. The ombuds office is also confidential and will not willingly disclose any information unless given permission to do so or in cases in which the ombudsperson perceives “imminent risk of serious harm, and where there is no other reasonable option” (IOA 2009a, 2009b). Finally, an organizational ombuds office is informal because it does not participate in any formal adjudication, investigative, administrative, or grievance processes (IOA 2014).

These four principles are designed to allow an ombuds office to be a trusted resource when a complaint or a dispute arises within the institution. Many ombuds have stated they would rather resign than compromise any of these four standards (Joyce 2014). Of the twenty-one practitioners I interviewed, none had actually faced this dilemma, but many were willing to hypothetically commit to such a position.

The organizational ombuds field profession arrived in North America in the early twentieth century and in North American higher education in 1965 when Simon Fraser University in British Columbia opened a student ombuds office (Coonrod 2015). Conflict within universities often ranges across departments and constituencies, and it can have costly effects in terms of workplace dissatisfaction, reduced productivity, absenteeism, turnover, lawsuits, and even violence (Rowe et al. 2008). In 2014, the IOA published a manual for establishing an ombuds office in an academic setting, summarizing the rationale for a university ombuds office as follows: “In simple terms, it is

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more expensive for administrators to spend their time attempting to resolve disputes than it is for an ombuds” (IOA n.d.: 2). Conventional dispute resolution processes, including disciplinary hearings and formal grievances, take up time and can be expensive. The goal of an ombuds office is to address issues before they become grievances and to resolve grievances or provide resources for self-resolution before grievances reach those tipping points. According to Helmut Buss (2011), ombuds offices are a largely untapped resource for an organization to save money and increase profitability.

In addition to their contribution to the bottom line, ombuds offices hold a unique position on campus. According to C. Kevin Coonrod (2015), because it is confidential and informal the ombuds office is the one venue where employees and students can express a grievance without fear of retaliation. The establishment of an organizational ombuds office can reduce what Buss (2011) called “dysfunctional conflict,” in which differing opinions are stifled and disrespected, and can help stakeholders promote best practices for managing conflict that are functional and allow differing voices to be heard. Ombuds offices aim to be “zero barrier offices” providing a “safe, credible, and accessible” space for everyone they serve (Rowe and Gadlin 2014: 217).

When a visitor comes to the ombuds office with an issue, ombudspeople can respond in multiple ways, but the three vital functions of an ombuds office, according to United Nations Ombudsperson John Barkat (2015: 41), are to identify problems and assist their resolution, to promote “organizational critical self-analysis,” and to advance conflict resolution skills throughout the organization. In fact, because of an ombuds office’s commitment to fairness, its ability to identify issues early (before they create more challenging problems), and its contribution to positive systemic change, the organization’s stakeholders benefit from the presence of an ombuds office even if they never meet with the ombudsperson (Schenck and Zinsser 2014). Although ombudspeople work directly with individuals, they effectively safeguard the organization as a whole.

Because of the ombudsperson’s commitment to confidentiality, neutrality, and independence, an ombuds office’s work is often not broadcast across the organization. Noriko Tada (2012), a practicing ombudsperson in Japan, has compared the role of ombudspeople to that of the *kuroko* in Kabuki theater. A *kuroko* is a “visible invisible” who wears all black on stage and helps change scenery and props. Despite all their work on and off-stage, they make the production appear effortless (Tada 2012). Similarly, ombudspeople work “behind the scenes” to solve individual issues before they become organizational crises and to signal to the organization’s leaders what conflict trends should be addressed. A good organizational ombudsperson, Rick Russell (2003) wrote, is a philosopher who wisely knows when to intervene in a situation and when to stay behind the scenes. Barkat (2015) described a range of functions an ombuds office might fulfill. At

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one end, the ombudsperson remains what Barkat calls a “passive” practitioner (2015: 43) who is focused only on individual issues and does not connect them to the larger system; at the other, she becomes a proactive practitioner, who uses individual encounters to advance systemic change and promote conflict competence throughout the organization.

## **Methodology**

For this research, I set out to investigate why some universities have chosen to establish an ombuds office while others have not and also to identify what practitioners believe are key issues in the ombuds field. To this end, I first administered an online survey to ombudspersons in college and university settings identified through an online directory. I invited 358 ombudspersons to participate, and received 111 responses for a response rate of 31 percent. The survey asked about respondents’ experiences using a mix of quantitative (i.e., “On a scale of 1 to 10, how trusted do you see your office?”) and qualitative (i.e., “What makes you feel trusted in your role?”) questions. I also gathered demographic (i.e., size of their office) information.

I also invited respondents to participate in one-on-one interviews. I developed the interview questions in consultation with the survey responses. Although I asked some questions of every participant, I allowed the interviews to be unstructured if discussion led me to new questions or ideas. Twenty-one ombudspersons agreed, and I interviewed them in person, via Skype, or via telephone. The interviews lasted one hour and fifteen minutes on average, and they were recorded only if the participant consented.

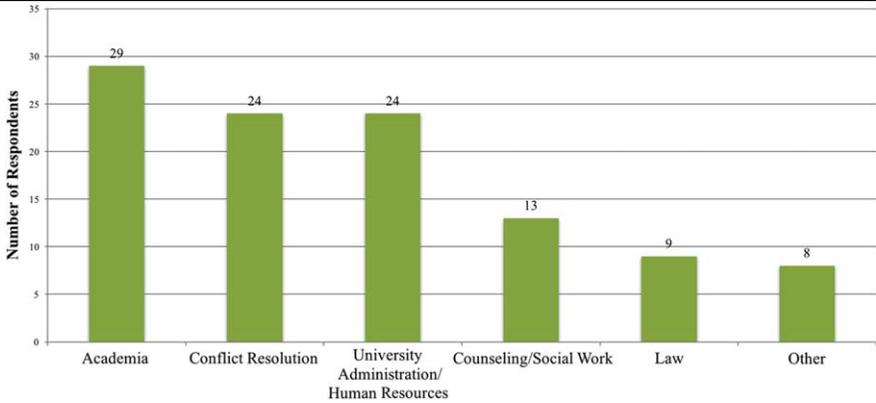
### ***Demographic Characteristics***

Of the 111 respondents who answered the original survey:

- forty-six (41 percent) work in offices that serve anyone connected to the university, including faculty, staff, students, and alumni;
- thirty-seven (33 percent) work in offices that do not serve students;
- seventeen (15 percent) serve students only; and
- six serve other combinations of constituents, such as staff and students, only certain schools or departments, or only student athletes.

Of these respondents, forty-three (39 percent) have only one ombudsperson in their ombuds office. Another fifty-six (50 percent) have two to four people in their office, and only a few respondents had five or more practitioners. Sixty-eight (64 percent) of respondents are full-time ombudspersons, while thirty-nine (36 percent) of respondents are “collateral” ombudspersons, meaning they hold other positions in the university, including faculty, staff, or administrative positions. These collateral roles correspond with respondents’ different professional backgrounds, as shown in Figure One. Furthermore,

**Figure One**  
**Ombuds' Professional Backgrounds.**



Note: Color figure can be viewed at [wileyonlinelibrary.com](http://wileyonlinelibrary.com).

respondents have been in the ombuds field an average of five years, many of them coming to the ombuds profession during or after other careers.

Thirteen of the twenty-one interview respondents were women, and eight were men. Fifteen interviewees work for public institutions, six for private institutions. Nineteen respondents work at universities, two work for community colleges.

Most of the people I interviewed work at larger institutions: sixteen interviewees (76 percent) work at institutions with twenty thousand or more enrolled students, and only five interviewees (24 percent) work at institutions with fewer than twenty thousand enrolled students. This reflects the field as a whole: larger institutions, unsurprisingly, are more likely to have ombuds offices than smaller schools. Seven (33 percent) of interviewees are from the northeast United States, seven (33 percent) are from the western United States, three (14 percent) are from the south, two (10 percent) are from the Midwest, and two (10 percent) are from Canada.

As shown in Table One, university ombuds offices are small operations, with more than half of the interviewees working as solo practitioners.

Among interviewees, most work as the only ombuds person in his or her office (twelve out of twenty-one, 57 percent), but some work in offices with multiple practitioners. Sixteen of the interviewees work in separate, dedicated ombuds offices, that is, the practitioners do not have secondary roles within the institution beyond that of ombudsperson, and five of them work in collateral offices, that is, they have other roles in the university. Four interviewees are faculty members in addition to their ombuds roles, and one is an ombuds and also director of student affairs. Of the interviewees, nine (43 percent) serve everyone in or connected to the university; six (29 percent)

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**Table One**  
**Size of Office**

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No. of Ombuds in Office	No. of Interviewees
1	12
2	6
3	2
4	1

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**Table Two**  
**Perception-Based Survey Questions**

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Characteristic	Question
Trust	How important is trust to you in your practice? How trusted do you think your office is in the university setting?
Necessity	How necessary is an ombuds office in a university setting?
Independence	How independent do you see your office? How independent do you think the university community sees your office?
Success	How important is success to you in your practice?
Isolation	How isolated do you feel in this position?

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serve faculty and staff only; four (19 percent) serve students only; and two (10 percent) serve only one campus within the university.

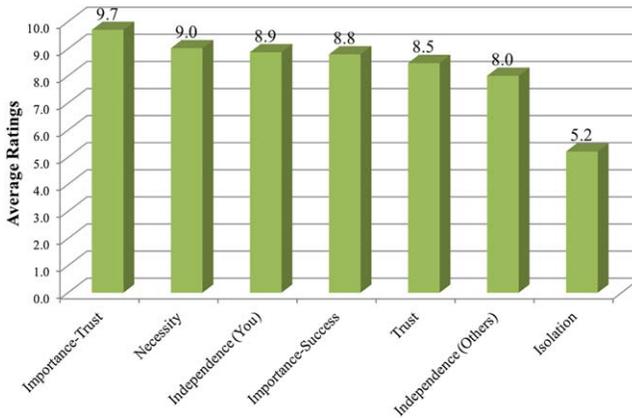
## Findings

In addition to demographic data questions, the surveys included seven perception-based questions that asked respondents to rate a characteristic of their office or their role on a scale of 1 to 10. Table Two lists these questions, and the average ratings for each question are shown in Figure Two. After each question, I provided a comments field and asked respondents to explain their answers. With the exception of “isolation,” respondents assigned similar ratings to these characteristics; however, their comments indicated significant differences in how they defined these concepts and how they applied them to their work.

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**Figure Two**  
**Perception-Based Ratings**

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When I analyzed the survey data, I compared correlation coefficients and conducted regression analyses to determine whether such characteristics as longevity in the field or office size correlated to respondents' responses when asked, for example, how trusted they feel or how necessary they see their offices on campus. I found no statistically significant correlations, but this could be because the sample size is relatively small.

When I began to brainstorm interview questions, I focused on the seven perception-based questions I asked in the surveys in order to allow respondents to elaborate on their earlier comments and to better understand the divergences I had begun to see. In addition to these topics, I expanded the interview questions to address relationship cultivation, professional backgrounds, informality, terminology, neutrality, IOA Certified Organizational Ombudsman Practitioner (CO-OP) certification, evaluations of effectiveness, and recommendations. These are all topics heavily discussed in the ombuds literature but not necessarily standardized in the field.

Participants' responses were wide-ranging — I was somewhat surprised by just how frequently responses diverged. As I considered their responses, I divided the areas of divergence into two groups. The first group comprises differences in individual practice and practitioner experience that, although interesting, would, I believe, have little long-term impact on the field. This first group includes such topics as how isolated ombuds are from the rest of the university, how they cultivate relationships, the structure of their positions, and so forth.

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The second group includes much more fundamental disagreements that, I believe, can affect wider perceptions of the ombuds field and have a greater impact on effectiveness; the profession should, I believe, consider these divergences more closely as it seeks to develop. This second group includes, for example, whether and how ombuds evaluate their effectiveness and whether and how they make recommendations to their institutions.

In his 2015 article, Barkat argued that the IOA standards should be nonnegotiable, while ombuds practices can be much more flexible. But some of the diverging ombuds practices that I identified seem to stem from how ombudspeople interpret or apply the standards, which makes the distinction between principle and practice rather muddled.

In this article, I examine differences in practice, policy, and experiences among the ombuds professionals at North American universities whom I surveyed and interviewed. Inconsistencies may be inevitable and not necessarily harmful, and I do not, in this article, suggest concrete recommendations for resolving them. I believe, however, that practitioners can benefit from learning how their peers practice and how they interpret the standards of the profession and that doing so can be an important step in the development of a still young profession.

## **Differences in Practice and Practitioner Experiences**

Ombudspeople around the world come to the practice with different experiences and skills, and work in different contexts and climates. In addition, some ombuds offices opened before such professional organizations as the International Ombudsman Association were established. With little in the way of existing professional standards to refer to, these practitioners did what was necessary to address the needs of their constituents. Practice differences are therefore unsurprising, as are differences in the experiences and working conditions of ombuds professionals. These differences in many ways are simply practical preferences, and are unlikely to have a significant impact on the development of the profession or its general perception around the world. It is beneficial, however, to know how others in the field are thinking and practicing.

I identified the following areas in which practitioners' experiences and perceptions of their jobs diverged in interesting ways:

- their degree of personal *isolation*, how it affects them, and how they manage it;
- whether or not and how they *cultivate campus relationships*;
- the structure of their *role within the institution* (e.g., Is the ombuds role their sole responsibility? Do they come from within that institution or were they hired externally?);

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- whether or not they see the ombuds office as *necessary or essential* to the university's functioning; and
  - the role of *informality* in their practices.

### ***Isolation***

Because of the confidential and independent nature of the role and because they cannot share information they receive from visitors without permission, organizational ombudspople often discuss how isolating the role can be. All ombudspople must balance their roles as university staff members working in support of institutional goals with their need to maintain the autonomy that is critical to the ombuds function. Isolation is generally considered to be negative in a professional setting, but I purposefully did not define isolation for survey and interview respondents in order to allow for their own interpretations.

When I asked survey respondents how isolated they felt on a scale of 1 to 10, the average rating was 5.2 with as many people answering with a 1 or 2 rating as answered with an 8, 9, or 10 rating. The comments section of this question showed varied responses with some indicating that isolation was a problem that they experienced and others reporting that isolation was not an issue at all.

Some survey respondents wrote that they felt isolated in their roles and viewed it as a negative experience. These practitioners lamented that they have no one to talk to about their work, and some reported they do not have “normal” relationships with anyone in their workplaces. One respondent reported that isolation — not only on campus, but within the ombuds field — is the biggest reason she has considered leaving the field. A few of these respondents who saw isolation negatively argued that isolation is necessary to preserve the independence that is a critical element of the ombuds field; one survey respondent even wrote, “The nature of the work does not encourage collaboration.”

On the other hand, about an equal number of survey respondents indicated that they do not feel isolated in their ombuds roles. These respondents gave varied reasons: they have multiple ombudspople in their office; the ombuds role is one of their collateral responsibilities and they have colleagues in their nonombuds position; or they actively cultivate close relationships across campus. Some respondents who reported that they do not feel isolated, however, meet none of these three criteria, which suggests that feeling isolated may reflect a particular campus culture or merely individual personalities. Some people are simply more suited to working alone while others thrive on collaboration. Interestingly, three survey respondents reported that they feel isolated and love the calm and independence of it, and one survey respondent wrote that she does not feel isolated but wishes that she did. Finding a satisfying balance between

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autonomy and collaboration, which one respondent characterized as “well-connected isolation,” can be a challenge, but some view it as more of a problem than others.

### ***Cultivating Campus Relationships***

Ombudspeople also differ in how they cultivate relationships on campus. Although a certain level of relationship cultivation is necessary, ombudspeople must balance forging personal connections with avoiding the perception of bias. A visitor who sees the ombudsperson with an administrator could, for example, conclude that the ombudsperson lacks independence or neutrality.

I asked interviewees about their relationships with others in the institution, specifically leaders and administrators, both public and private. Again, I received a range of responses: some university ombuds are actively collegial and openly connect with others in the institution. Others are more professionally solitary and will only interact with institutional colleagues when professionally necessary, cultivating the appearance of independence by avoiding being seen publicly with others in the institution. Some practitioners take a middle-of-the-road stance and respond to opportunities to be seen with institutional colleagues on a case-by-case basis, often by interacting with leaders and administrators behind closed doors. Interestingly, even among the collateral ombudspeople, who inevitably have existing connections on campus through their other roles, comfort levels varied. Furthermore, some ombudspeople in the study who are actively collegial view those who are professionally solitary as well-meaning but, as one interviewee said, “misguided,” and vice versa. One suggested that the choice to fraternize with university colleagues or not may simply be a matter of personal style: “Even if IOA came up with a rule that ombudspeople cannot have lunch with leaders, existing practitioners are going to stick with the style they feel works for them best.”

### ***Practitioner Background***

When an institution decides to hire its first ombudsperson, administrators must decide whether to look within the institution or externally. This decision is critical — it can affect how the community receives the practitioner and whether or not the office is perceived as neutral and independent. The IOA standards of practice dictate that an ombudsperson should not hold any other position in the organization that “might compromise independence” (IOA 2009a: 2).

This standard has been interpreted somewhat loosely, and numerous institutions have allowed faculty and staff members to serve as ombudspeople even while maintaining their original positions. Lionel Bobot (2007) reported that some universities have even allowed the role of ombudsperson to rotate among tenured faculty members. But in such cases, a visitor who has a grievance or a dispute with that ombudsperson’s colleague may be hesitant to seek that ombudsperson’s assistance. I interviewed four ombuds who also

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hold faculty positions and one who holds a staff position. Three of these respondents told me that the connections they had within the institution were invaluable and wondered how outsiders could even operate in the role. “You can learn conflict resolution skills,” said one of them, “but you can’t walk in and learn the culture of the institution.”

But one interviewee who works solely as an ombudsperson disagreed. She argued that a practitioner needs to be skilled at conflict resolution and coaching but could quickly pick up on the climate of an institution. Ten practitioners (or roughly half of the interviewees) who work solely as ombuds told me that they believed that having a second role on campus would inhibit their independence and make their jobs more difficult. On this topic, responses seemed to reflect whether participants hold collateral roles or work solely as ombuds at the institution. Institutions that hire ombudspersons must balance the connections an internal candidate has with the fresh perspective an external candidate has and decide what would serve the institution best.

### ***The Necessity of the Ombuds Office***

Before I started this research, I expected that my research would reinforce the notion that every organization should have an ombuds office, and, generally, respondents did support that contention. In the survey, I asked participants “On a scale of 1 to 10, how necessary is an ombuds office in a university setting?” Sixty-three respondents (57 percent) ranked the necessity of an ombuds office as a “10.”

The survey comments, however, suggest that their feelings about how essential ombuds offices are to the functioning of a university are complex. Some survey respondents reported that they see ombuds offices as essential to the proper functioning of universities because no one else does for the university what ombuds offices do. One respondent even suggested that a university that does not need an ombuds office is a fantasy because it would be a place where all policies are fair, no one abuses power, and all community members understand their rights and responsibilities.

Other survey respondents objected to the term “necessary” because the university could *exist* without ombuds; instead, they wrote that ombuds offices are beneficial and important. One respondent said students “need and deserve” an ombuds office, while others said that problems could be resolved in other ways. Of the sixty-three respondents who rated the ombuds office as necessary (a 10 rating), about half suggested that an ombuds office is only appropriate in institutions that are truly committed to the office and willing to support the ombuds role. One survey respondent differentiated between ombuds offices and obligatory compliance functions, writing, “The power of an ombuds office is that it is not a necessity but a choice. A choice to provide another way of resolving problems.” This respondent was the only one to give necessity a rating of 1.

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I expected respondents to call for the universal institutionalization of ombuds offices without qualifications. But the range of responses I received suggests that some of them believe an institution can function without an ombuds office but when an ombuds office exists and has the support it needs from above, the institution will function better.

### ***Informality***

One of the aspects of ombuds work that differentiates it from other offices is its informality. The IOA Standards of Practice indicate that informality allows ombudspeople to engage in “listening, providing and receiving information, identifying and reframing issues, developing a range of responsible options, and — with permission and at ombudsman discretion — engaging in informal third-party intervention” (IOA 2009a: 9). Informality rules out making binding decisions, formally investigating or adjudicating issues, or keeping case records with identifying details.

Laurie Miller Patterson (2012) has argued that the informal nature of the typical ombuds practice enhances visitors’ sense of self-determination because, rather than requiring that they complete certain steps, the ombudsperson helps the visitor decide what to do next and whether to pursue a formal option. The presence of an informal office signals to an institution that conflict resolution can occur before formal processes are instigated, and it benefits those who might be afraid to access more formal channels. Despite these benefits, informality is frequently cited and discussed among professionals as the most controversial standard within the ombuds field. Informality was actually added to the standards of practice later, after independence, impartiality, and confidentiality had been widely accepted for years.

What precisely constitutes “informality” in ombuds practice is muddled. While some practitioners think informality means the ombuds lacks formal management decision-making power, others think informality refers to a lack of record keeping. In the face of this confusion, ombudspeople disagree about informality’s place in the profession. Mary Rowe (2012) has stated that informality is the standard that allows all other standards to operate properly and prevents ombudspeople from interfering with managers’ work. Howard Gadlin (2012) has disagreed that informality should be the fourth standard because informality diminishes the ombuds role in the eyes of stakeholders and because informality suggests that ombudspeople have no power or influence. He has argued that informality is more of a work style than a practice standard; however, he has also argued that ombudspeople should investigate issues, without violating confidentiality, neutrality, and independence, in order to uncover systemic concerns and provide recommendations (Gadlin 2012).

Clearly, informality is a problematic term for ombuds professionals. Rowe quoted one ombudsperson, who reported the term “informal” evokes a

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“gum-chewing, jean-clad” ombudsperson, and instead suggests using the term “not formal” (Rowe 2012: 11). Nonetheless, the inclusion of informality in the standards sets the ombuds field apart from other professions: ombuds do not represent their employers nor does reporting to an ombuds qualify as making any kind of formal complaint, and people can turn to them without triggering an on-the-record process.

When I presented some of my research at the IOA annual conference, I asked audience members if they thought any of the standards were more important than the others. Attendees spoke eloquently about the importance of independence, neutrality, and confidentiality, but no one mentioned informality at all. To me, this suggests not that informality is unimportant but that it is fundamentally different than the other standards. But regardless of what practitioners think of this feature, multiple interview respondents told me they believe informality to be one reason visitors trust them.

## Fundamental Disagreements

The second category of disparities I encountered in the ways that ombuds view their profession involved not simply differences in preferences but more fundamental disagreements about what constitutes appropriate ombuds practice. I identified fundamental differences in five areas:

- the *terminology* that defines the job: practitioners disagree about the usefulness of the term “ombuds,” for example;
- the role of *neutrality* and the challenge of maintaining it;
- the value of *IOA certification*;
- the most appropriate methods for *evaluating the effectiveness* of an ombuds office; and
- how ombuds make *recommendations for institutional improvement*.

### *Terminology*

Interestingly, ombuds reported substantial disagreements about the basic terminology used to describe the profession. Although terminology may seem like a minor issue, it can greatly influence people’s perceptions, especially in relatively unknown disciplines and professions.

Respondents varied in how they refer to themselves; terms included ombudsman (regardless of gender), ombudsperson, ombuds officer, ombuds director, and ombuds. More significantly, their opinions diverge even about the term “ombuds.” A few interviewees expressed regret that the field uses the term, and one interviewee admitted that she tells her friends and family she does mediation or counseling work to avoid their confusion about the ombuds profession. Although one interviewee stated that people conjure critical and authoritarian images when they think of an ombudsperson,

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another stated that people conjure no image of an ombudsperson because the word means nothing to them.

A few interviewees suggested alternative labels for their work and reported that their institutions were considering a name change for their offices. On the other hand, while the barrier to widespread recognition and understanding of the ombuds field is great, the uniqueness of the term might actually make the practice more distinct and memorable. A few respondents suggested that the distinctive label creates opportunities to educate constituents and the public about the ombuds office.

The disagreements over terminology could have some significant impacts. Should practitioners who object to the term adopt different terminology, it could potentially fracture the field. The reluctance of ombuds practitioners to identify themselves and explain fully what they do and the potential willingness of others to create new factions with new terminology is unlikely to advance the already difficult task of increasing visibility and educating the public about who ombudspersons are and what they can do for their constituents. The discrepancies in ombuds terminology may be merely semantics, but they only enhance the confusion surrounding the ombuds role. Adopting precise language across the profession could increase people's understanding and ultimately their willingness to utilize an ombuds office.

### ***Neutrality***

Despite its central place as an ombuds standard of practice, neutrality and its application are not uncontroversial. According to the IOA, neutrality is key to trust because it prevents the perception that the ombudsperson is an advocate for the university's interest over all others or that he or she favors either party in a dispute (IOA 2014).

Neutrality can be problematic in several ways, but managing the balance between neutrality and advocacy is particularly difficult. At the 2010 Crystal Ball, a quasi-public meeting of ombudspersons discussing the field, one ombudsperson reported that she struggles with neutrality versus advocacy when so many people seemed to need and want an advocate (Rowe 2010). One interviewee said she feels this dilemma when she coaches one of her constituents. She asked, "When you're coaching someone on how to deal with a problem, are you advocating for them?"

Workplace bullying, for example, can challenge ombuds neutrality. Because bullying is not generally against the law in the United States, allegations of bullying are rarely formally investigated, and some ombudspersons struggle with their inability to take action in bullying cases. Don Noack (2014), a retired ombudsperson, admits that when he reaches out to alleged bullies, he can act neutrally, but he never feels neutral internally. He suggests that ombuds work does not mean practitioners have to anesthetize their feelings, but they must behave without bias despite their feelings.

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In a 2011 issue of the *Journal of the International Ombudsman Association*, Tom Sebok and Howard Gadlin separately discussed IOA Standard of Practice 2.2, which says the ombudsperson “strives for impartiality, fairness, and objectivity” and “advocates for fair and equitably administered processes” (IOA 2009b: 1). Sebok (2011) admitted that he is not sure how to balance advocating for fair processes without advocating on behalf of an individual and Gadlin (2011) stated outright that it cannot be done. In his opinion, when a process does not treat constituents fairly, why shouldn’t ombudspeople advocate on their behalf? He gives an example of a visitor who was undergoing emotional distress because her student identification number had the digits “666.” Even though the school had a rule against changing identification numbers, Gadlin advocated on behalf of the student, and her identification number was changed. In this situation, he was not advocating for fair process because he did not argue that the rule should be changed across the board; he simply helped a struggling student avoid unnecessary hardship (Gadlin 2011).

Many interviewees expressed strong feelings that an ombudsperson should not advocate for *anyone*; but some even denied that ombudspeople could advocate for *anything*, such as fairness or process, because they thought the act of advocacy violated neutrality. Interestingly, when I mentioned the story about advocating for the ID number change, some interviewees said they would not help that student because it is advocacy, some said they would help the student despite the fact that it is advocacy, and others said they would help the student because what I described is not advocacy. (These responses once again underscore the importance of using exact terminology — and standardizing definitions behind that terminology.)

As ombudspeople struggle with how to remain neutral and when to advocate for someone, the professional dialogue surrounding neutrality has been evolving. Zachary P. Ulrich (2013) has discussed the shift from impartiality, where the ombudsperson advocates for neither side, to multi- or omnipartiality, where the ombudsperson identifies with and supports all parties to the dispute. Ulrich also discussed the recent debate about whether ombuds neutrality actually preserves fairness within the university. As some practitioners argue, if an individual is being oppressed, shouldn’t the ombudsperson advocate on behalf of that individual in the name of justice?

The perspectives on this debate vary from organization to organization. Ulrich (2013: 52) suggested “adopting alternative conceptions of principles *similar* to neutrality and impartiality, if only framed in a manner more realistically applicable by O[mbuds] O[ffice] practitioners.” Some practitioners have even expressed the desire to change the IOA standards to allow ombudspeople to advocate on behalf of an individual when appropriate (Ulrich 2013). Because of these disagreements, visitors’ expectations of an ombudsperson may diverge from the standards that govern what the ombudsperson can and will do for the visitor and will ultimately color the

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visitors' experience with the ombudsperson. The perception of neutrality is a key for an ombudsperson, but the field is far from unified in deciding what exactly constitutes neutrality and in how it projects its neutrality. An exact definition of this key concept would contribute to more realistic expectations of the ombuds office's work and its limitations.

### ***IOA Certification***

International Ombuds Association certification, which is the professional certification of ombudspersons, is not a mandatory prerequisite to ombuds practice, and the amorphous role of certification consequently affects how the ombuds field is viewed. Interviewees unanimously agreed that certification does not prove that a certified practitioner is more competent or conscientious than a noncertified practitioner.

Nevertheless, they disagreed about how important certification is. Some interviewees said certification is important for ensuring a basic understanding of the field and conveying competence and professionalism. One interviewee, who admitted her position on the IOA Board of Directors made her biased, said the purpose of certification is to professionalize the field and to establish standards and guidelines that calibrate visitors' expectations. Another interviewee said that IOA certification is important only for the first ombudsperson an institution hires or for ombudspersons who do not hold collateral positions. Other interviewees believe certification proves that practitioners are committed to the field. Three interviewees, all of whom were certified, expressed a desire to make certification a requirement for all practitioners in order to increase the importance of that credential.

But some interviewees reported they do not place much value on IOA certification. One interviewee said that being able to read people and remain nonjudgmental are the most important skills for the job, ones that she thinks cannot be measured by the certification test. Although she supports certification, another interviewee said the value is mostly perceptual, but the credential is no guarantee of effective practice.

One interviewee reported that she did not take certification into account when hiring her associate ombudsperson. To her, it was much more important that the person she hire knew the standards of practice and truly understood the role. Even some of those who have received certification do not think it is necessary; one certified practitioner said certification does not carry enough weight and the process is not implemented well enough to be essential to ombuds practice. Another certified practitioner became certified to increase her credibility among visitors but was surprised to find out that visitors do not care about her certification.

A few interviewees reported that they do not support IOA certification because they think it is used to keep people from a wider range of disciplines from entering the field. For example, lawyers, mediators, and counselors are seen as natural fits for the ombuds field, and they often have to take

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certification tests similar to IOA's. These interviewees expressed concern, however, that individuals from other fields will avoid the ombuds profession if they have to take a test with largely unfamiliar content. Some interviewees suggested certifying ombuds offices separately from ombudspersons in order to preserve the practitioner's autonomy from the institution. To me, this plan seems like a logical solution to many practitioners' challenges with the current system, but only a few practitioners had heard of the idea or thought it would work.

Ultimately, no interviewee expressed unqualified satisfaction with the current IOA certification process. One interviewee's remark summed up the dilemma behind a certification that is not required: "I couldn't believe I got my ombuds job. Who am I to be an ombuds[person]? The fact that I didn't have to have a certain degree or a certain certification basically means anyone can ombuds!" While it is an overstatement to say anyone can be an ombudsperson, an optional certification process that some people choose to partake in and others do not undermines efforts to achieve the standard of professionalism that is the very goal of having a certification process in the first place.

### ***Evaluation of Effectiveness***

How an ombuds office evaluates its effectiveness was the source of the most significant disagreements I encountered in this research. Generally, leaders in the field have agreed that ongoing monitoring and evaluation not only help ombudspersons demonstrate to stakeholders the impact they have, but they also help practitioners improve. Without systematic and thoughtful monitoring and evaluation, the ombudsperson has no way of knowing how effective he or she is. In fact, Andrea Schenck and John W. Zinsser (2014) have argued that the impact of an ombuds office cannot be assumed. Practitioners must work hard to cultivate and evaluate the goals, capacity, and value of an ombuds office, especially in budget-challenged organizations that are eager to dissolve offices they deem unnecessary or irrelevant.

The confidential and off-the-record nature of the work, however, presents a significant challenge for evaluating the effectiveness of the ombuds office — results cannot be publicized. In the face of this challenge, how an ombuds office evaluates its effectiveness and justifies its existence to the university is hotly debated. At the 2008 Crystal Ball, one ombudsperson stated, "There appears to be little agreement among OOs [organizational ombudspersons] about evaluation" (Rowe et al. 2008: 10). A 2001 General Accounting Office report on ombuds offices in federal agencies claimed that ombuds offices "gave only limited attention to evaluating their ombuds programs" (GAO 2001: 3). Presently, there is no widely accepted best practice for measuring ombuds effectiveness or success. While some ombudspersons wish the IOA would recommend certain parameters that every ombuds office should measure, ombudspersons are currently on their

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**Table Three**  
**Evaluation Criteria**

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<b>Evaluation Metric</b>	<b>Number of Practitioners Using*</b>
Number of cases handled	70 (63 percent)
Number of visitors satisfied	44 (40 percent)
Number of disputes settled	33 (30 percent)
Amount of time the office saved the university	25 (23 percent)
Amount of money the office saved the university	20 (18 percent)
No criteria/it's impossible to measure	8 (7 percent)
Other (lack of complaints about the office, feedback the office receives, etc.)	12 (11 percent)

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\*Survey respondents could choose more than one metric, so percentages add up to more than 100 percent.

own in measuring effectiveness and using the results to justify their existence within the organization.

I asked survey respondents what criteria from the following list they looked at when they evaluate themselves:

- number of cases handled;
- number of disputes settled;
- number of visitors satisfied;
- amount of time the office saved the university; and
- amount of money the office saved the university.

I also left a space for respondents to list additional criteria, which included lack of complaints about the office, feedback the office receives, the range of places from which referrals come, and adherence to IOA standards. The results are detailed in Table Three.

As shown in Table Three, the “number of cases” handled was by far the most popular criterion, chosen by seventy participants (63 percent). Forty-four respondents (40 percent) said they try to measure visitor satisfaction, but the interviews indicated that this is usually an informal process. Few people said they measure the amount of time and money their office saves the university because these are difficult to determine or prove. And eight

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respondents said evaluating effectiveness is impossible or that they do not attempt evaluation of their office.

Even among those who conducted evaluations, I uncovered significant confusion and doubt as to whether their evaluation methods were actually working or worth maintaining. Some interviewees were not sure of the best way to evaluate effectiveness, but they expressed a desire to improve their evaluation processes. One interviewee erupted in nervous laughter when I asked about evaluations, exclaiming, "I don't know!" She said she thinks she is seeing results, but she has not figured out how best to measure effectiveness. Another interviewee believes measuring effectiveness is the biggest challenge to the field because she thinks utilization of her office does not mean anything if she cannot prove that her meetings have been fruitful.

Some interviewees did not seem very interested in the evaluation process, however. When I brought up evaluation, one interviewee shrugged with an expression of resignation. She said she has never heard anything bad from visitors, and she sometimes receives immediate positive feedback. Another ombudsperson said she does not have an evaluation system in place and does not worry about it. She also receives positive feedback and gratitude from visitors, which is enough for her. One interviewee said that if there were a good way to measure effectiveness of the ombuds office, then evaluation would already be standardized in the field, rather than shrouded in confusion as it currently is.

At the 2008 Crystal Ball, some ombudspople rather cynically reported that their employers value the ombuds office primarily because they are required to have one in order to satisfy certain risk management guidelines. One ombudsperson said, "It does not matter really how we do; we just have to exist. How would you evaluate this?" (Rowe et al. 2008: 12). Other ombudspople at the Crystal Ball argued that attempting to measure intangibles such as trust is the pinnacle of hubris and is not even possible in a scientific way (Rowe et al. 2008).

On the other hand, some interviewees do have evaluation systems in place, some quantitative, some qualitative, and some a combination of both. Some ombudspople think anecdotes are sufficient. One interviewee said she knows the office is being effective because she keeps a "happy file," where she stores all positive feedback she receives via email. She does not share the emails with anyone else, but re-reading them validates her role and encourages her when she is dealing with a complicated case or doubts her own effectiveness. Such anecdotes can be compelling, but they are unverifiable and insufficient on their own. Other measurements of effectiveness that rely on ombuds' perceptions can be just as difficult to verify.

Attempting to be more scientific with their evaluations, some ombudspople try to quantify their value by demonstrating the return on

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investment that the university gains by supporting the ombuds office. One cost effectiveness expression follows:

$$\frac{\text{Value Added} \pm \text{Cost Control} - \text{Mistakes}}{\text{Costs of the Ombuds Function}}$$

In this expression, the value added is the amount the ombuds office benefits the organization; cost control is any method to curb the costs of the ombuds office, such as using shared office space or sharing an administrative professional; mistakes include any misstep that can be quantified; and costs of the ombuds function are the total fixed and variable costs necessitated by the office. When figures are applied, this expression yields the cost effectiveness of having an ombuds office, but the difficulty lies in the ability to determine the values for each figure (Simon and Rowe 1999). In particular, because ombudspople often work behind the scenes and silently support the university's conflict management system, it is difficult to gauge how much a positive change within the university's conflict environment may actually reflect the work of the ombuds office. The lower the profile that ombudspople keep, the more difficult it is to determine their contributions to resolving a particular case or to improving the university environment as a whole, especially when their actions prevent something, such as a lawsuit or grievance, from happening (Rowe 2010).

Using other measures that are difficult to estimate, some interviewees evaluate their effectiveness in terms of how they are serving the organization and its leaders or how they are utilized at the systemic level. One interviewee attempts to track the levels of polarization between administration and faculty, and another tracks how much she defuses difficult situations. Some ombudspople report on how many grievances, lawsuits, acts of violence, or reported bullying occur at the university in order to gauge how effective the ombuds office is at preventing those incidents. While compelling, these metrics are ambiguous because they rely on the ombudsperson's subjective guesses about what hasn't actually but could have happened. And of course, self-evaluation is risky because subjects typically lack objectivity and could have self-serving motives.

Some ombudspople track more objective quantitative indicators. For example, if the office seeks to increase utilization, it could track utilization each month to determine whether more visitors are accessing the office. Ombudspople can track such statistical data as which departments send visitors, how many resolutions ombuds help secure, and how many referrals they receive and from where. One interviewee, for instance, said a high number of referrals proves that the office is trusted by others in the university, so she tracks and publishes the number of referrals she receives. Such statistics can help offices develop benchmarks to measure improvement over time. Because administrators respond well to hard data,

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they are usually more effective than qualitative anecdotes at demonstrating the value of the office.

In his 2004 study, Tyler R. Harrison discovered that many ombudspeople measure effectiveness according to their own definitions of success, thereby neglecting the perspectives of those the ombudsperson is serving (Harrison 2004). To counteract this, some ombudspeople solicit anonymous feedback through surveys. Visitor surveys not only help ombudspeople understand how they are serving their stakeholders overall but open-ended survey questions also give ombudspeople specific feedback and suggestions for improvement. One interviewee said visitor surveys help her build credibility across the university.

But surveying visitors can be tricky. Return rates for satisfaction surveys are typically low. One interviewee used to have a short questionnaire on his website for visitors to complete; however, only eight out of approximately 130 visitors completed the survey his first year, so he discontinued it. In addition, ombudspeople worry that sending a follow-up survey violates visitors' confidentiality: website surveys and paper surveys can be confidential, but administering phone or email surveys require the office to keep the visitors' names and contact information. Multiple interviewees admitted that confidentiality considerations keep them from measuring visitor satisfaction. Finally, some ombudspeople do not appreciate the limited scope provided by satisfaction surveys. One interviewee said that he thinks online surveys are skewed because they are bimodal, i.e., only those who love and hate him leave feedback, which fails to capture the experience of the average person.

Because of these challenges, only one interviewee reported that her office surveys visitors. Her surveys ask general demographic questions and Likert scale questions to gauge visitors' satisfaction with the visit, including how much they agree with statements such as "I understand my situation better because I visited the ombuds office" or "The ombuds office staff respectfully listened to me." No other interviewee conducted visitor satisfaction surveys.

Because each evaluation method has advantages, using more than one makes obvious sense. For example, an office that tracks stories of success and failure (failure can be even more instructive), measures usage, and gathers visitor feedback will have well-rounded data to present to administrators. Internal analysis of feedback can be critical for self-improvement. But I learned from my discussions with ombudspeople that many of them do not see the value in evaluating their effectiveness. Some indicated that they would be able to "feel" whether or not they were effective, but obviously such feelings constitute an incomplete and unreliable gauge of how well their offices serve their stakeholders and are unlikely to convince administrators of the value of the services the ombuds office provides.

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## ***Recommendations for Institutional Improvement***

It is conventional wisdom in the ombuds field that ombudspople have a unique perspective on what is really going on in an institution. Practitioners diverge, however, in what they do with that information. The IOA Standard of Practice 4.6 says that an ombudsperson “identifies trends, issues, and concerns about policies and procedures . . . without breaching confidentiality or anonymity, and provides recommendations for responsibly addressing them” (IOA 2009a: 10). Although it is clear that the IOA expects ombudspople to make recommendations, the standards do not indicate whether recommendations should be made publicly or privately.

Forty-three percent of interviewees (nine) reported that they make private recommendations directly to leaders and administrators, 33 percent of interviewees (seven) make public recommendations to the institution as a whole (usually in an annual report), and 24 percent (five) do not make recommendations at all.

These latter respondents do not make recommendations at their institutions because, they told me, they do not believe that ombudspople should make recommendations at all. Notably, these five practitioners share no other traits that might have predicted this shared belief, such as all being collateral ombudspople or all being sole practitioners.

Furthermore, when I discussed this issue at the IOA Annual Conference, several attendees disclosed that they do not provide recommendations. One attendee told me, “I don’t think it’s right to pretend I know what the institution should do in this situation, and I don’t want to overstep my bounds.”

Some of this divergence likely arises from differences in practitioners’ relationships with the leaders of their organizations. But regardless of the reason, to be truly effective in the way that the practice has been envisioned, ombudspople should establish what their roles are in their institutions on a broad scale. Standardizing their approach to making recommendations for institutional improvement would help standardize what leaders can expect from ombudspople. If an ombuds office at a university makes recommendations about how to resolve issues and those recommendations are seen by current or new administrators as a threat, a practitioner needs to be able to point to an industry-wide standard to support the behavior. The IOA’s policy on recommendations is not inscrutable — it is quite clear, in fact. But some practitioners still practice differently. Similar to the topic of advocacy, the topic of institutional recommendations is apparently an established standard about which ombudspople still disagree.<sup>1</sup>

## **Conclusion**

The university ombuds professionals whom I surveyed and interviewed revealed a variety of differences in practice, ranging from the differences

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in style that one might expect in any field to some very fundamental and some surprising disagreements. The reasons for these disagreements are not obvious, but there is some plausible explanation. First, ombudspeople can have varied roles in the university and therefore their orientation to the work may differ. For example, a practitioner with a human resources background may see the role as another way to make the organization run smoothly, whereas a practitioner with a counseling background may see the role as another way to help individuals. Second, as previously noted, some ombuds in this study came to the field before professional organizations and standards had been developed and were essentially “on their own” in creating their positions and their offices.

Third, the ombuds office’s place in the institution and its acceptance by constituents and administrators can vary significantly and this is likely to have a major impact on practice. An office that is established through a conscious, collective effort by constituents and administrators is endowed with trust and credibility; in contrast, an office that is quickly established in reaction to a crisis or by recommendation of an outside body will have to build trust and credibility slowly and defend itself from those who resent its presence. Finally, the personality and personal experiences of practitioners will of course guide the choices they make as ombudspeople.

Ombuds professionals know that their practices diverge and are known to discuss this divergence with each other. But the full ramifications of their most fundamental underlying disagreements have not been widely examined: whether or not an ombudsperson will have lunch with the human resources director is a much less significant disagreement than whether or not it is the role of the ombudsperson to make recommendations to the institution — these questions do not have the same ramifications. Fundamental disagreements about what is appropriate professional behavior affect the expectations of both visitors and institutional supporters, and such disagreements could ultimately catalyze changes that shift the direction of the entire field.

At the same time, a flexible attitude that the right way to practice is dependent on institutional and individual context supports conflict avoidance in the field itself. When two ombudspeople disagree, they can blame it on their different contexts, rather than having a challenging and possibly unpleasant — but perhaps necessary and potentially fruitful — discussion about what is best for the field as a whole.

In my experience, the ombuds field is remarkable in the way that it enables people from different backgrounds to enter different contexts and to become the one individual in a complex institution that constituents trust the most. I believe, however, that some of the more serious discrepancies that I have identified undermine efforts to gain a greater role for the field and enhance its wider visibility and respectability.

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A full exploration of the discrepancies I describe in this article represents an opportunity for rich collaboration among colleagues, but only if ombudspeople are willing to learn about each other's experiences and openly discuss their disagreements. If they are, ombudspeople can model the collaboration within diversity, the development of trust despite competing interests, and the respectful exchange of divergent opinions that they hope to encourage in their institutions. Ombudspeople challenge their visitors to have difficult conversations and empower them to resolve their own conflicts — and should be willing to undertake the same processes themselves.

## NOTE

1. The Administrative Conference of the United States (ACUS), an independent federal governance organization, has also identified divergence within the ombuds field. In its December 2016 report, which was developed with input from the IOA, the conference identified discrepancies between “externally facing ombuds” and “internally facing ombuds” among federal ombuds offices. However, because the conference is concerned with the work of government agencies, it is unlikely to have a direct impact on university ombuds offices. See <https://www.acus.gov/sites/default/files/documents/Recommendation%202016-5.pdf>.

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